

INDIANS  
IN  
SRI LANKA

A HISTORICAL STUDY

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DEDICATED  
TO  
THE MEMORY OF MY FATHER,  
THE LATE MUKTI PADA CHATTOPADHYAYA,  
who first turned my thoughts towards History.

**By the same author**

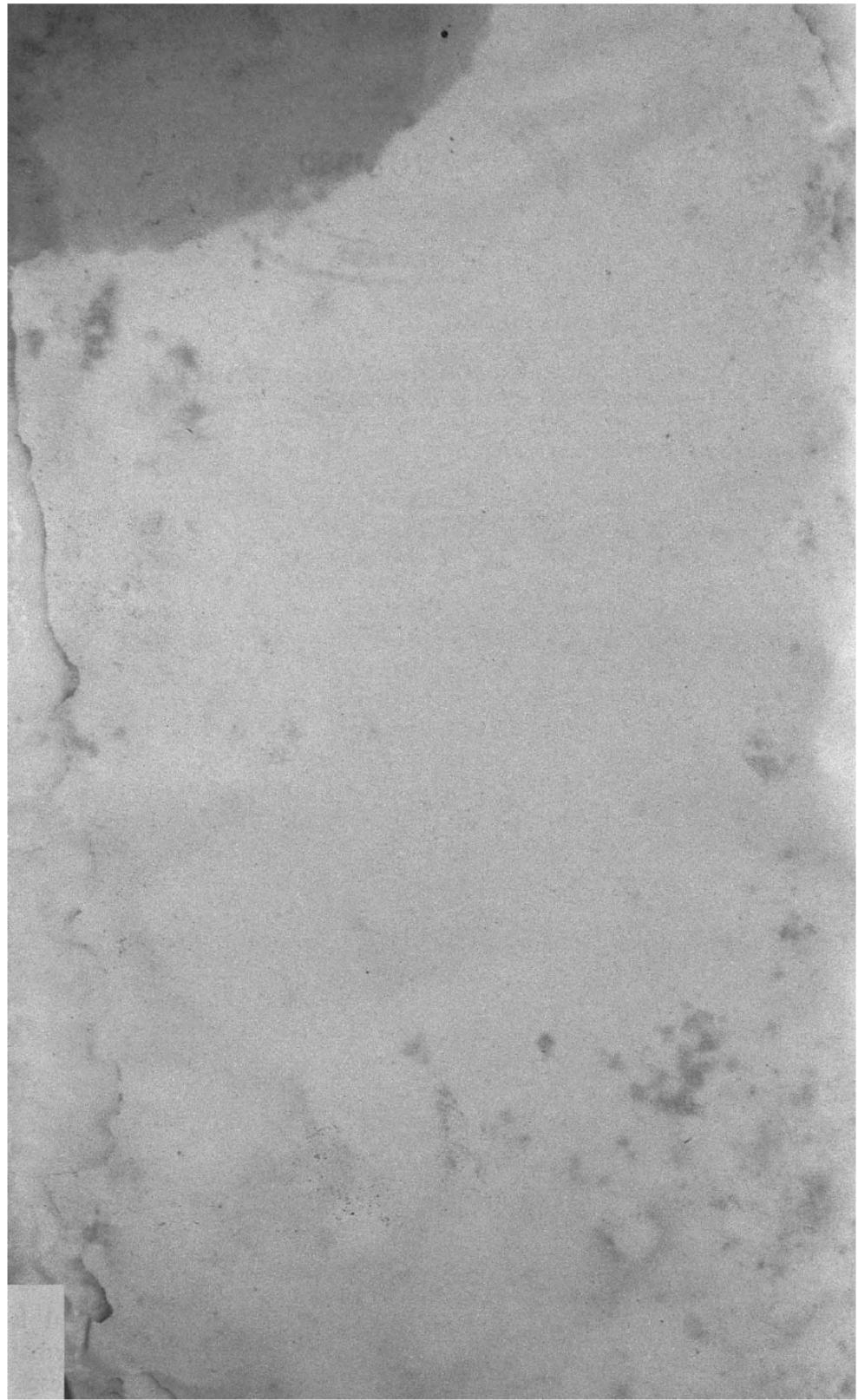
The Sepoy Mutiny (1857), A  
social study and analysis

Indians in Africa, A socio-  
economic study.

YATAH PRAVRTTIH BHUTANAM YENA SARVAMIDAM TATAM  
SVAKARMANA TAM ABHYARCYA SIDDHIM VINDATI MANAVAL

Gītā 18.46

Man attains (life's) fulfilment by worshipping, with his own deeds, Him Who is the fountainhead of inspiration of all beings and Who pervades the whole universe.



## P R E F A C E

A few years ago, I undertook to write, against social and economic background, the history of the people of Indian origin settled abroad. My first study in the projected series was published in 1969 under the title **Indians in Africa, A Socio-Economic Study**. The present volume is the second publication in the above series.

After the publication of **Indians in Africa**, I thought about another country with a considerable population of Indian origin whose social and economic condition and political status require a detailed investigation. Sri Lanka, our close neighbour, being one such country became obviously my next choice. Drawing on records available here and in Sri Lanka, I could build up the story I wanted to. **Indians in Sri Lanka** is thus the fruit of research based on records collected from both Indian and Ceylonese sources.

Between the first half of the 19th century and the early part of the 20th, Indian labourers from South India immigrated into Ceylon, currently known under the name of Sri Lanka, to work on the coffee, tea and rubber plantations owned by the British planters. Those labourers, popularly known in Sri Lanka as Ramasamys or estate labourers, were followed on their heels by non-estate labourers from the south and also by miscellaneous passengers such as traders, business men, professionals and intellectuals from the north, west and south. Long before the arrival of the Indian labourers and of the upper class Indians in Sri Lanka, its Northern and Eastern Provinces, particularly the Jaffna area in the extreme north, had been colonized by the people of Tamil extraction of the Madras Presidency of India. The people of Indian origin in Sri Lanka, therefore, came, in course of time, to comprise the following categories of persons : (1) Those, settled in Northern and Eastern Provinces for several hundreds of years and known as Ceylon Tamils or Indigenous Tamils, forming part

and parcel of Sri Lanka's nationals; (2) estate labourers, mostly Tamil-speaking, whose ancestors immigrated into the Island as plantation workers between the first half of the 19th century and the early part of the 20th; (3) free or unassisted immigrants comprising non-estate labourers and miscellaneous passengers who, following the trail blazed by the estate labourers, crossed to Sri Lanka, with no idea of a permanent stay there but with temporary residence permits, renewable at the discretion of the Ceylonese Government at the expiry of their validity; and (4) the Moors of Indian origin whose ancestors hailed from the Malabar coast. It is with the history of the last three categories of Indian immigrants in Sri Lanka that the present volume is concerned. As my purpose is to study the history of Indian immigration into Sri Lanka in the wake of the introduction of plantation economy there, I have necessarily left out the history of the Ceylon Tamils whose arrival in Ceylon was unconnected with plantation economy and who, in fact, had settled permanently at Jaffna several centuries before the plantation economy was ~~was~~ introduced on the Island in the 19th Century. The people of Indian origin who crowd the pages of this volume are, therefore, exclusive of the Ceylon Tamils.

On 27 January 1974 was issued the Indo-Sri Lanka Joint Communiqué at New Delhi which, together with the Shastri-Bandaranaike Agreement of 1964, finally clinched the issue of the Statelessness of the Indian residents in Sri Lanka. The year 1974 thus witnessing the final agreement between the Governments of India and Sri Lanka on the question of the citizenship status of the people of Indian origin on the Island, an attempt has been made on these pages to survey their history till 1974 from the commencement of their immigration in the first half of the last century.

The text-matter of the book has been broken into seven chapters with detailed subheads, highlighting the problems arising out of this great folk movement and unfolding the social and economic aspects of the subject from the points of view of both India and Sri Lanka. Chapter I analyses the reasons why Indians immigrated into Sri Lanka. Chapter II dwells on the commencement of the immigration movement as also on the recruitment and treatment of the Tamil labourers. Chapter III deals with the population, pursuits and social life

of the immigrants. Trade and business of the Indian immigrants, with special reference to the economic activities of the Nattukottai Chettiar, form the subject matter of Chapter IV. As the estate labourers, with their families brought from India, swelled in strength, the planters and the Ceylonese Government were obliged to provide for education of the estate labourers' children. The problem of their education has been discussed in Chapter V. The Indo-Sri Lanka relations became complicated by the problems of citizenship, statelessness, repatriation and rehabilitation of the estate labourers. The problems were thrashed out on Government level. The Shastri-Sirimavo Bandaranaike Agreement of 1964, followed by the Joint Communique of 1974, finally settled the Indo-Sri Lanka relations arising out of the citizenship question of the Indian immigrants. The citizenship question and the relevant problems have been discussed in Chapter VI. The last or seventh chapter contains the concluding discussion.

The references, mentioned in the footnotes of all the seven chapters, have been arranged under appropriate categories and incorporated in the bibliography appended to the book.

Three maps—the map of South India showing the areas of labour-recruitment, the map showing the routes followed by the Tamil labourers from India to Sri Lanka and the map of Sri Lanka showing the percentages of Sinhalese- and Tamil-speaking persons—have been inserted in the book at appropriate places.

The Island has been designated in the book mostly by its present official nomenclature, Sri Lanka, but the old name, Ceylon, has also been used as it occurs in many of the official records consulted by me.

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Department of History

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I should acknowledge here my indebtedness to different institutions and to many well-wishers of mine for all the help and co-operation I received from them in the preparation and publication of this volume. I am specially indebted to the late Professor Narendra Krishna Sinha who encouraged me much in my research into the problems of Indians settled abroad. To Professor Amal Tripahi I am obliged for the permission given by him as the Editor of The Calcutta Historical Journal to reprint in the present volume the portion of a chapter previously published in the Journal. Professor Nirmal Chandra Sinha, formerly Centenary Professor of International Relations at our university, was kind enough to read the typescript and offer valuable suggestions. I am grateful to him. Sri Benoy Bhushan Roy, Librarian, Department of Anthropology, Calcutta University, stood me in good stead by arranging for the publication of the work. I cannot acknowledge too fully my obligation to him. I gratefully recall the help I got from my friend, Sri Murari Ghosh, while the book was taking shape. My brother-in-law, Sri Biswanath Mukherjee of Uttarpura, possessed of a strong critical sense, helped me much in clarifying many knotty points in the course of my discussion with him. May God bless him. My particular thanks are due to my colleague, Dr. K. L. Hazra, who laid me under a deep debt of gratitude by giving me every sound advice regarding my visit to Sri Lanka for collecting materials for the present study. During my stay in Sri Lanka I received immense help and co-operation from Professor Dr. (Mrs.) Kiribamune of the Peradeniya Campus, and Professor Dr. W. M. K. Wijetunga of the Vidyodaya Campus, of the University of Sri Lanka. I offer both the Ceylonese scholars my sincere thanks and heart-felt gratitude. I am thankful also to the Director of the National Archives, Sri Lanka, and his staff and also to the authorities of the Ceylon Workers' Congress for all the facilities they favoured

me with in collecting my materials. My thanks are due to Dr. Suprakas Sanyal, my colleague in the History Department, for the interest taken by him in the publication of the book. The encouragement I received from Dr. Sukumar Sengupta, my senior colleague in the Department of Pali, makes me bow my thanks to him. Dr. Subrata Gupta, Principal, Yogamaya Devi College, Calcutta, and Lecturer, Calcutta University, and Dr. Biren Goswami, Reader in Political Science, Burdwan University—both being my students—helped me much. May God bless them. Professor Dr. (Miss) Bela Dutta Gupta, Head of the Department of Sociology, evinced much interest in my work. I offer my thanks to her. Dr. Dilip Kumar Mitra, Assistant Librarian, National Library, was kind enough to draw two very useful maps for my book. I remain indebted to him. To transcribe a hand-written manuscript into a typed copy is, no doubt, a drudgery and a thankless task, too. But Sri Biswanath Chatterjee of National Library patiently bore the trouble of typing the pages and handing over to me a neat and correct copy. May he prosper in his profession. I would be failing in my sense of obligation if I do not set down here my deep-seated gratitude to the staff of National Library, Calcutta, for all the undgrudging help and co-operation I got from them. I am thankful also to the Directors and their staff of the National Archives of India, New Delhi, and of the State Archives of Tamil Nadu and West Bengal for the archival documents made available to me. I am also thankful to the Librarian and staff of the Central Library, Calcutta University.

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H. P. Chattopadhyaya

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## INTRODUCTION

The movement of persons across land or over sea for reasons, social, economic or political, has greatly influenced the course of human civilization, creating at the same time many a ticklish problem between the migrants and the governments of the receiving countries. Such a movement in the case of India may be viewed as wearing a three-fold aspect-immigration of foreign-born persons, internal migration and emigration overseas. Foreign-born persons<sup>1</sup> or persons born in Europe, America, Africa, Australasia, and in such Asiatic countries as China, Burma, Nepal and Afganisthan found their way to India with the motive of setting up as traders, only the English traders, in the long run, developing their trade into an Empire. There has also been internal migration or the movement of persons within the country across the frontiers of their home provinces or home districts, out of social and economic considerations.<sup>2</sup> Perhaps the most significant aspect of the movement of Indians is their overseas emigration, the beginnings of which date back to a remote past. The terrors of uncharted seas could not dissuade the ancient Indians from voyaging to South-East Asia on cultural and commercial missions which ultimately led to the foundation of the Hindu Kingdoms of Sumatra, Java, Bali, Borneo, Malay, Cambodia and Annam between the second and fifth centuries of the Christian era. The rigidity of caste-prejudices and the inevitable pain of separation from familiar faces could not discourage the Indian adventurers of the ancient age from leaving the Indian shore and settling among strange people in foreign lands. If the early Indian overseas emigration was the movement of India's commercial adventurers and of the ambassadors of her great civilization, the emigration which began in the 19th century was essen-

tially the movement of the country's unskilled labour-force to those parts of the former British Empire where British planters stood badly in need of cheap labour, especially after the abolition of slavery and slave-trade in 1834. In the history of Indian overseas emigration Sri Lanka occupies a distinct place.

Situated east of Cape Comorin (Kanyakumari) on the southern tip of India, skirted on the north and east by the Bay of Bengal and on the west and south by the Arabian sea and the Indian ocean respectively, and separated from the Indian mainland by the Gulf of Mannar and the Palk strait, Sri Lanka has ever been a friendly neighbour of India and has been drawn closer to her since the pre-Christian era by geographical propinquity and cultural affinity. Sri Lanka's earliest known inhabitants, the Veddas, Nagas and Yakkhas, are generally believed to have migrated to the Island originally from South India in the remote past which cannot be precisely denoted, when the two countries are supposed to have, formed a single landmass. The Ceylonese historian, G. C. Mendis, who supports this theory, writes in this connection that 'it is possible that, like the wild animals that came from south India to Ceylon, the Veddas occupied this island at a time when it was not separated from India by a stretch of sea.'<sup>3</sup> Then waves rolled and ages passed, and the continental drift came to separate Sri Lanka with her pre-Aryan inhabitants from the Deccan plateau by a stretch of water which, in course of time, received such geographic names as Bay of Bengal, Arabian sea, Indian ocean, Gulf of Mannar and Palk Strait. The continental drift could not, however, snap Sri Lanka's link with India. The link came rather to be strengthened with the coming of the Indian prince, Vijaya Singha, who is traditionally believed to be the legendary ancestor of the major race of the Island, namely, the Aryan Sinhalese race. The tradition as recorded in the Dipavamsa and the Mahavamsa<sup>4</sup> leads us to believe that it was Vijaya Singha who introduced the first Aryan immigrants into Sri Lanka. His great-grandfather was a King of Vanga who had married a princess of Kalinga. Their daughter, true to the prophesy of a soothsayer, fell in love with a lion in the region, called Lada or Lala, married him, and had a son and a daughter born to her from that union. The son who bore

the name of Sihabahu ultimately killed his father, the lion, and became the king of Vanga when the reigning king died, without leaving any son to succeed him. Sihabahu, however, left his kingdom of Vanga, married his sister who bore the name of Sihasivali and founded a new kingdom at Sihapura in Lada, the land of his birth. Vijaya was the eldest son of this incestuous union. As crown prince, Vijaya made himself intolerable to the people by his evil conduct for which his father had to banish him from the kingdom. Accompanied by 700 followers, Vijaya left Lada in a vessel, reached the port of Supparaka wherefrom he set sail again and finally arrived with his band of 700 followers at Tambapanni on the north-west coast of Sri Lanka on the day of Lord Buddha's parinirvana.<sup>5</sup> On his arrival at the Island, Vijaya found it in the occupation of the Yakkhas whom he could easily subjugate with the help of the Yakkhini Kuvanna or Kuveni whom he married. Vijaya lost no time in establishing extensive settlements throughout the Island, giving it the name of Sinhala and making himself the eponymous hero of the Sinhalese race. The inauguration of Vijaya as the sovereign was, however, delayed as he was unwilling to be consecrated, 'unless a maiden of a noble house were consecrated as queen at the same time.'<sup>6</sup> Envoys were accordingly sent to 'Madhura' in the 'Pandu' country (Madhura being identified with Madura and the Pandu country, with the Pandya territory in South India) to request its king to give his daughter in marriage to Vijaya Singha. The envoys were successful in their mission. They came back not only with the Pandya princess for Vijaya but also with many other maidens of good birth for marriage with Vijaya's followers. With the maidens came craftsmen and 'a thousand families of the eighteen guilds.'<sup>7</sup> Vijaya Singha was then consecrated by his ministers 'in full assembly', while the Pandya princess was consecrated, according to customs, by Vijaya Singha himself as his queen. Thereafter, he, now formally called King of Lanka, prevailed upon his former wife, the Yakkhini Kuvanna, to leave his kingdom as 'his men were in fear of superhuman beings.'<sup>8</sup> So, she had to leave, hardly anticipating that she was going to her doom for, before long, she came to be killed by a violent Yakkha who took her for a spy. King Vijaya Singha made Anuradhapura, now in North Central

Province, his seat of government and ruled for thirty eight years.<sup>9</sup>

Thus an Aryan kingdom came to be established in Sri Lanka, the founder having come from Aryavarta or northern India. It is, however, controversial whether the eponymous founder of the Sinhalese race hailed from the east coast of northern India or from its west coast. Vijaya's homeland was Lala or Lada. Professor Md. Shahidullah identifies Lala with Radha or West Bengal and holds that an examination of the Sinhalese language in its historical development shows its 'unmistakable affinity to the oldest phase of Bengali'. In his opinion, the first Aryan settlers in Sri Lanka came from Bengal, though this need not mean that people from Gujarat never settled in the Island.<sup>10</sup> Professor Suniti Kumar Chatterji is inclined to identify Lala with Lata which, again, is identified with Gujarat and Sind. He holds the view that 'the first immigrants who carried the Indo-Aryan speech to Ceylon seem to have been from the western Indian coast. Later, from 3rd century B. C. onwards Ceylon seems to have come in touch with Magadha through Bengal, and traditions of intimate relations between Bengal and Ceylon are preserved in medieval Bengali literature'.<sup>11</sup> Vijaya and his followers reached Sri Lanka by sea via the ports of Supparaka (modern Sopara) and Bhrigukachchha, also called Bharukachchha (modern Broach), both on the west coast of India. If they had started from a port of Bengal on their voyage to the Island, it is very improbable that their vessel could have touched at Supparaka or Bhrigukachchha before their landing at the Island. This is also the considered opinion of Professor S. Paranavitana.<sup>12</sup> Since Vijaya reached Sri Lanka via Supparaka, his homeland may reasonably be identified with a coastal town of Gujarat. The ancestors of the Sinhalese may, therefore, be regarded as having originally come to Sri Lanka from the west coast of India. But Vijaya's great-grand father belonged to Vanga and his great-grandmother to Kalinga. From this point of view, the Vangas and Kalingas also may, in a sense, be looked upon as the remote ancestors of the Sinhalese.

If, therefore, the pre-Aryan immigration into Sri Lanka started with the movement of the Veddas, Nagas and Yakkhas from Southern India, Aryan immigration commenced with

Vijaya Singha from the western coast of India. But the legend which contains this kernel of truth should not be wholly taken as it is. As Professor Basham thinks, 'Vijaya's grandfather, the lion, was not a real lion but a bandit who went by the name of Siha' or, as he also holds, 'In my opinion, Vijaya is not an individual but a type, the bold and ruthless Aryan pioneer who was one of the elements responsible for the spread of Aryan culture all over India and beyond.'<sup>13</sup> Commenting on the Vijaya legend, Professor Paranavitana writes : 'These traditions had been handed down orally for nearly a millennium before they were recorded in the chronicles. Hence one need not be surprised to find that the account given in the chronicles with regard to the origin of the Sinhalese and their arrival in this island can by no means be called history as the term is understood today. Moreover, it was not unusual among ancient peoples to attribute superhuman qualities and miraculous deeds to the heroes of old, and the stories that were current among the ancient Sinhalese relating to their eponymous hero were true to pattern'.<sup>14</sup> Yet the fact remains that the Vijaya tradition, as briefly narrated above after the Dipavamsa and the Mahavamsa, is believed by the Sinhalese as marking the beginning of the real history of their land and as signifying the birth of the race which is called Sinhalese.

As Vijaya died leaving no son by the Pandya princess to succeed him, his kingdom was offered to his nephew, Panduvasdeva, who arrived at Lanka from Vijaya's ancestral homeland of Sihapur, a year<sup>15</sup> after his death, with thirty two companions in the guise of mendicant monks and ascended the throne. If Vijaya typified the man of action, Panduvasdeva typified the man of thought. These two Aryan types together with the Dravidian and aboriginal elements, as Professor Basham estimates, produced the great civilization of Sri Lanka.<sup>16</sup> When Asoka was the Maurya Emperor of India in the 3rd century B. C. (c. 273-232 B. C.), his contemporary Sinhalese king was Devanampiya Tissa (247-207 B. C.) whose reign saw the introduction of Buddhism into Sri Lanka by Asoka's son, Prince Mahendra, in the wake of the missionary activities of the Indian Emperor. Devanampiya Tissa was succeeded by his three younger brothers each of whom ruled for ten years, one after the other. During the rule of the

youngest of the three brothers, Suratissa, two South Indian adventurers of Tamil extraction, who introduced themselves as dealers in horses, seized the kingdom of Anuradhapura and ruled it for a period of twenty two years. After its recovery from the Tamil hands, the kingdom passed, about the middle of the 2nd century B. C., under the spell of the rule of a prince from the Chola kingdom in South India, Elara by name, who ruled over Anuradhapura for forty four years. Elara was ultimately deposed by a Sinhalese warrior, Dutthagamani (c. 161-137 B. C.) by name, who was a scion of the line of Devanampiya Tissa. Dutthagamani succeeded in bringing the entire Island under his sway. Years afterwards, the Island relapsed into Chola rule. The Chola King, Rajaraja I (985-1016 A. D.), acquired sovereignty over northern Sri Lanka and founded a new capital at Polonnaruwa, situated to the south-east of Anuradhapura. It was during the reign of another Chola king, Rajendra Choladeva I (1016-1044 A. D.), that the South Indian invasions of Sri Lanka reached their peak, as he conquered most of the Island in 1017 A. D. Thus Sri Lanka ceased being an independent kingdom and remained a mere province of the mighty Chola Empire of India till she regained her independence in 1070 A. D. Among the Sinhalese rulers who ruled in Sri Lanka after her emancipation from the Chola imperialism (1017-1070 A. D.), Parakrama Bahu the Great (1153-1186 A. D.) stands out pre-eminent. He had no son to succeed him.<sup>17</sup> The confusion which followed his death ultimately led to the establishment of a separate Tamil kingdom at Jaffna in the northern extremity of Sri Lanka in the thirteenth century. The Sinhalese rulers had, therefore, to retreat southward to keep off the Tamil invaders, abandoning the ancient centres of civilization like Anuradhapura and Polonnaruwa and moving their Headquarters from one place to another till by the 16th century they set up a new capital at Kotte, a few miles off Colombo.

The beginning of the 16th century brought new invaders to Sri Lanka, this time from Europe. The first to come were the Portuguese who, among the westerners, were the earliest 'intruders' into the East. The Portuguese whose rule in Sri Lanka lasted from 1505 to 1656 lost their sceptre to the Dutch who stayed to rule the country from 1656 to 1796. The last to come were the British who supplanted the Dutch as

the ruler of the Island. After the conquest of Kandy by the British and the signing of the Kandyan Convention on 2 March 1815, Sri Lanka passed under British sovereignty. The British political association with Sri Lanka lasted from 1796 till she was granted Dominion Status in 1948. The British capitalists introduced plantation economy into Sri Lanka, which paved the way for the immigration of Indian labourers with whom the story, unfolded in the following pages, principally deals.

The statements in this chapter are not claimed to be the discoveries of facts not already known. Rather, the previously established facts have been merely critically restated here or, at places, their summary accounts have been conveniently given, in order that they may subserve the purpose of a suitable background to the narrative delineated in the chapters that follow.

#### FOOTNOTES

I. Indian Census Reports give the following details about the migration of foreign-born persons into India :

Foreign-born persons enumerated in India at the time of Census.

	1911	1921	1931
Born in other Asian countries	5,04,113	4,72,576	5,95,078
Born in Europe	1,31,968	1,21,064	1,18,089
Born in Africa	10,270	4,719	11,408
Born in America	2,760	3,446	4,455
Born in Australasia	1,267	1,683	1,516
Born on Sea	124	38	16
Birth-place unspecified	245	24	1,642
Total	6,50,747	6,03,550	7,32,204

Vide Indian Census, 1911, Vol. I, Part II, pages 123-25

Indian Census, 1921, Vol. I, part II, pages 109-10

Indian Census, 1931, Vol. I, part II, pages 74,88

2. Indian Census Reports furnish the following details of internal migration :

	Indians born outside the State or Province of birth
1911	1,08,11,678
1921	1,11,97,376
1931	1,20,79,576

Vide Indian Census Reports for 1911, Vol. I, Part II, p. 141

Indian Census Reports for 1921, Vol. I, Part II, p. 134

Indian Census Reports for 1931, Vol. I, Part II, p. 114

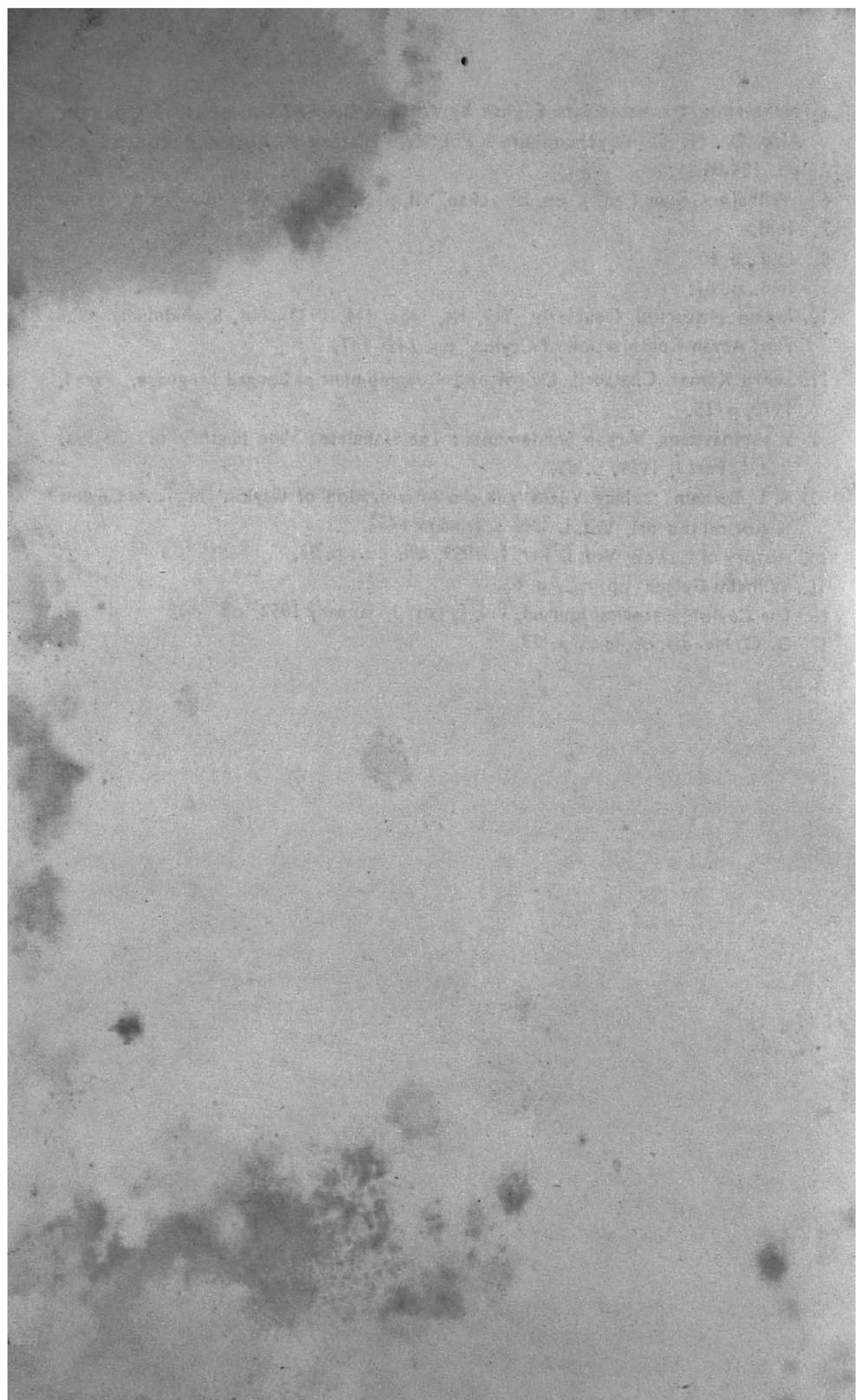
3. G. C. Mendis, The Early History of Ceylon, Calcutta, 1947, p. 3. Mendis's view is shared also by K. K. Pillay (South India and Ceylon, p. 1), Wilhelm Geiger (Culture of Ceylon in medieval times p. 1), Dudley Stamp (World, London, 1933, p. 454) and by others. According to Geologists, the southern hemisphere, called Gondwanaland, comprising not only India and Ceylon but also Africa, Madagascar (now known as Malagachi), Australia, South America and Antarctica, formed some sort of supercontinent in late Paleozoic to mid-Mesozoic time. Before the 'drift' set in, Gondwanaland had formed a large landmass which, in course of time, separated. In fact, 'the idea of an arch continent is widely accepted in geological circles nowadays. If the present continents are pushed together elastically so as to fit into one another, one huge arch continent may be formed.' (H. S. Bellamy, A Life History of our Earth, p. 38). Vide also Brainerd Mears Jr. The Changing Earth: An Introductory Geology, p. 374 and John A. Shimer, The Changing Earth, pp. 1,202, 204. Alfred Wegener also believes that 'the majority of those continents which are now separated by broad stretches of ocean must have had land-bridges in prehistoric times' and that 'across those bridges undisturbed interchange of terrestrial fauna and flora took place.' Vide his The Origin of Continents and Oceans, p. 5.

4. The Dipavamsa and the Mahavamsa constitute the two earliest chronicles of Sri Lanka. The former was composed in the 4th century A. D. by an unknown author and the latter, in the 6th century A. D. by monk Mahanaman. Both owe their origin to a common source—the Atthakatha Mahavamsa of the Mahavihara monastery. The contents of both are almost identical. While in the Dipavamsa they are condensed, in the Mahavamsa they are elaborate. The Dipavamsa gives a brief account of the colonization of Sri Lanka by Vijaya while the Mahavamsa's account of the same is more detailed. 'The Mahavamsa is a conscious and intentional rearrangement of the Dipavamsa as a sort of commentary on the latter.' (B. C. Law). The Mahavamsa has been edited by Wilhelm Geiger and the Dipavamsa, by H. Oldenberg. Vide B. C. Law—A History of Pali Literature, vol. II, London, 1933, pp. 517-18, 520-22, 527, 532, 534-36.

5. It is difficult to assign a definite date to the parinirvana or the Great Decease of Lord Buddha. According to Cantonese tradition, the date is 486 B. C. The date suggested by Geiger is 483 B. C. which is generally accepted. Vide The

Mahavamsa, translated into English by Wilhelm Geiger ( London, 1912 ), p. xxiv.  
Also Dr. H. C. Roychoudhury's Political History of Ancient India, 4th ed.,  
pp. 184-86.

6. Wilhelm Geiger ( ed. ), op. cit., chap. VII, p. 59.
7. Ibid.
8. Ibid., p. 60.
9. Ibid., p. 61.
10. Indian Historical Quarterly, Vol. IX, Nos. 1-4, 1933—Md. Shahidullah, 'The First Aryan Colonization of Ceylon', pp. 745-747.
11. Suniti Kumar Chatterji, Origin and Development of Bengali Language, Part I, 1970, p. 15.
12. S. Paranavitana, Aryan Settlements : The Sinhalese. Vide History of Ceylon, Vol. I, Part I, 1959, p. 85.
13. A. L. Basham, 'Prince Vijaya and the Aryanization of Ceylon' in The Ceylon Historical Journal, Vol. I, No. 3, January 1952.
14. History of Ceylon, Vol. I, Part I, 1959, op. cit., p. 83.
15. Wilhelm Geiger op. cit., p. 62.
16. The Ceylon Historical Journal, Vol. I, No. 3, January 1952. op. cit.
17. G. C. Mendis, op. cit., p. 77.



## CHAPTER I

### ORIGIN OF THE INDIAN IMMIGRATION INTO SRI LANKA

On 17 July 1948, Jawaharlal Nehru wrote to D. S. Senanayake: "I should be failing in my duty if I did not make it clear that any suggestion that Indian labour proceeded to Ceylon solely for temporary employment on plantation in that country would be contrary to the facts of history. One of the conditions for emigration to other countries to which the Government of India have always attached the utmost importance from the beginning of Indian emigration has been that an emigrant labourer should be given facilities to settle in that country to which he emigrates, on equal terms with the members of the indigenous population. The so-called special privileges sanctioned by the Government of Ceylon were benefits considered necessary to attract immigrant labour and to ensure that assistance in returning to their homes in India would be available to those migrants who did not want to settle down in the country of immigration. To argue from the existence of these special stipulations that no settlement of Indians in Ceylon was contemplated would not be justified."

Senanayake wrote in reply to Nehru on 17 August 1948: "I do not think that I misrepresent the 'facts of history' when I state that Indian labour did not come to Ceylon to settle down permanently in this country but primarily to seize the opportunities for employment which the Coffee, Tea and Rubber

plantations so generously offered. It is no reflection on Independent India that there was a time when a number of her sons were made, under an arrangement which a foreign power in India made with foreign capitalists in Ceylon, to leave India in search of employment and a fair livelihood abroad nor can Independent Ceylon be held responsible for the unsatisfactory conditions under which emigration took place then. I do not deny that some of these emigrants may have come to regard their new land as their home. This is natural and inevitable in the case of settlers in those countries where distance rendered difficult, if not impossible, the maintenance of any close connection with the motherland. Emigrants to Ceylon, however, were not compelled by a similar circumstance to sever their connection with India. Rather there is every indication that Indians in Ceylon have neither forgotten nor forsaken their home country. The closest association was, and is still being, maintained by the emigrant with his village, and the facilities for travel have encouraged regular and periodical visits to it. There are several instances where land has been purchased and investments made in their villages by labourers through the agency of the Ceylon Emigration Commissioner. Money is remitted monthly to families or dependants in India."

Much water has flowed down the Mahaveli Ganga in Sri Lanka, and the Mahanadi, the Krishna and the Kaveri in South India since the above correspondence<sup>1</sup> on the origin of the Indian labourers' immigration into Sri Lanka and on the relevant issue of their settlement in the Island took place between the Prime Ministers of the two countries in 1948. Both admitted that the prospects of employment on plantations, that is, economic considerations supplied the motive force behind the immigration into Sri Lanka. But Senanayake's statement also implies that the immigration owed its origin to the arrangement made between 'a foreign power in India' and 'foreign capitalists in Ceylon' for the recruitment of labour for plantation work. In reality, however, the then colonial government of India did not initially interfere in the matter of the immigration of labourers into Sri Lanka. At the beginning, the immigration was free, it being the concern of only the planters and labourers, not a matter in which the Government of India was then involved. It was not till 1922

that it enacted definite measures to regulate the movement of Indian labourers into Sri Lanka.

Industrial Revolution was the parent of all sorts of problems—political, social and economic—that raised their heads in West Europe in the 19th century. England which first developed the modern Industrial system also possessed the necessary sea-power for overseas domination and thereby inaugurated a period of immigration into the newly acquired overseas possessions. If the Industrial system brought about

**Industrial Revolution  
and the growth of  
private capital; the  
export of private  
capital for investment  
in plantation economy**

a remarkable overseas expansion of England and other countries in West Europe, it also led, at the same time, to the accumulation of private capital in the hands of industrialists and manufacturers and to the introduction of the capitalistic system of industry. The excess capital in private hands, if invested in developed countries, would obviously mean small profits for the capitalists who, therefore, for the sake of higher returns, looked for investment-opportunities for their excess capital, acquired through a disproportionate distribution of their income among Industrial workers, in the under-developed countries of the world. The capitalists, in other words, exported their cash to the colonies abroad for investment in railways, mines and plantations there. The capitalists who made the 'business world' of modern industry also insisted on *Laissez-faire* in the investment of their capital and in the management of their industries. In other words, they claimed the right to manage their affairs in their own way, unfettered by official regulations.

To the British capitalists Sri Lanka appeared to be the country where their capital could be employed profitably in plantation economy. Sri Lanka's economy underwent a

**Coffee, Tea and  
Rubber planta-  
tions**

radical transformation as British capital was employed to replace the country's traditional subsistence agriculture by plantation

farming. Coffee was the first plantation crop, the cultivation of which was encouraged and stimulated in this way. Coffee shrub is believed by some to have been introduced into Sri Lanka first by the Dutch, while others maintain that the Arabs introduced it into India wherefrom Sri Lanka had learnt its cultivation before the arrival of the Portuguese

and the Dutch. There is, however, the general agreement that coffee developed into a major cash crop in Sri Lanka only after the British occupation of the Island. Consequent on the conquest of Kandy in the Central Province of the country, the Kandyan Highlands offered an ideal soil and a congenial climate for the cultivation of coffee. It was during the stewardship of Sir Edward Barnes, who became Sri Lanka's Governor in 1824, that coffee assumed special significance in the Island's economy. Sir Edward himself owned coffee estates and was, in fact, the first individual who planted coffee in Sri Lanka. With the development of the technique of coffee-growing, the officers of the British East India Company and many private individuals hastened from England to Sri Lanka to invest their capital in coffee plantations there. All classes of people—the Governor, his Council members, military personnel, District Judges, clergymen and civil servants—began to own coffee plantations. In fact, everybody from the Governor downwards except Lord Torrington and Sir Colin Campbell became a coffee planter.<sup>2</sup> Among the European planters, besides Sir Edward Barnes, mention may be made of George Bird, who had his plantation at Gampola, and of others like G. B. Leechman, Chairman of Colombo Chamber of Commerce, the owner of 20 estates; George Wall, a Colombo merchant, the owner of 24 estates; William Bowden Smith, a Colombo merchant, the owner of 37 estates; M. H. Thomas, a Colombo merchant, the owner of 7 estates; W. D. Gibbon of Kandy, the owner of 35 estates; A. S. Burnet, Manager of Uva Coffee Company, the owner of 30 estates; Charles Shand of Colombo, the owner of 3 estates; and William Sabonadiere, a planter with twenty years' experience in coffee cultivation in the districts of Pussilava, Hewahette and Rambodde. The ownership of coffee plantations, though mostly European, was not wholly so, because a handful of Ceylonese planters such as Jeronis de Soysa, James Alexander Dunuwille, Cornelius Perera, Galagoda Basnayaka Nilame and J. P. de Silva Karunaratne Muhandiram were also known to have been the owners of coffee estates even as early as the 1830's and the 1840's.<sup>3</sup> The coffee plantation which covered the period from the 1830's to the 1880's reached its zenith in 1878 when, according to the Report of Majori-banks and Marakkayar, an area of 2,75,000 acres was brought

under it.<sup>4</sup> The plantation, however, began to show signs of decline not long after 1878. With its fall during the 1880's, caused primarily by a coffee-leaf fungus disease, the planters switched over to the cultivation of tea and rubber for the purpose of export to Europe and America. Tea, in particular, was caught in that feverish search for an alternative exportable crop, which followed the blight and final disappearance of coffee.

'In Britain, we drink 70,000 million cuppas (of tea) a year. We are the world's largest importer of tea...Approximately 30 per cent of Sri Lankan tea is grown by companies with British connection and 28 per cent of the tea we drink comes from Sri Lanka'. Miss Edith M. Bond thus estimates the place of tea in Sri Lanka's plantation economy.<sup>5</sup> Tea was grown in the Wet Zone comprising the west coast and central Highlands, the principal tea-growing districts being Kandy, Nuwara Eliya and Badulla. The market-value of tea and its popularity as a drink induced the planters, mostly European, to bring increasing areas under its plantation, which resulted in the gradually increasing volume of its production. In 1873, tea was grown on only 280 acres of land, whereas, by 1915, 4,26,000 acres had been brought under its cultivation.<sup>6</sup> The export of 12,50,490 pounds of green tea from Sri Lanka in 1901 and of 64,41,242 pounds in 1910 indicates an enormous increase in the volume of its production.<sup>7</sup>

In the post-coffee era, rubber was the second cash crop to sustain the economy of Sri Lanka. Introduced towards the end of the 19th century, rubber was cultivated in the Low-country, principally in the Kegalla, Kalutara and Ratnapura districts. The foreign demand for rubber led to its gradual expansion, the area of land brought under its cultivation gradually extending from 705 acres in 1898 to 2,40,000 acres in 1915.<sup>8</sup> Other plantations such as cocoa, cocoanut and cardamom were also introduced and were marked by considerable expansion in course of time, cocoanut remaining mainly a staple product of peasant economy.

The culture of the plantation crops required an adequate supply of labourers ready to be employed on estate work and willing to reside on estate areas. While the demand for labour on coffee estates was seasonal, the plantation of tea required a regular supply of labour, both male and female,

throughout the year. But the labour whether for coffee or for tea plantation was not easily available locally. Coffee required

The problem of  
obtaining cheap  
labour; experi-  
ments with the  
Sinhalese and  
Chinese labour

land of high altitude for its fruitful cultivation, and, therefore, as a preliminary measure, the clearing of large areas in the Kandyan Highlands was undertaken. The

Sinhalese and Kandyan labourers were

prepared to undertake the work of clearing the bush but they declined to stay on the plantation areas permanently towards providing constant and dependable labour necessary for the cultivation of such crops as coffee and tea. Their reluctance to undertake estate-work may be attributed to the socio-economic framework of Sri Lanka. The absence of economic pressure on the Sinhalese peasants and their caste-prejudices made them averse from undertaking labour for wages. Social observances and obligations necessitated their periodical absence from work. Strong family ties also acted as a deterrent to taking up their residence in unfamiliar areas away from their village homes. The very idea of residing in the lines on the estates was repulsive to them. They could not dream of living there alone for a prolonged period, as required by the conditions of the cultivation of plantation crops, while their families would be away in their distant village-homes, because such prolonged separation from their families was opposed to their customary social behaviour. Moreover, to the Sinhalese labourers the employment in plantation work was only subsidiary to the cultivation of their paternal lands which supplied most of their economic needs. Almost every Sinhalese villager owned some measure of land, either a few acres or a share in a small plot. In other words, the majority of the Sinhalese labourers belonged to the peasant class. According to the Ceylon Census Report for 1891 which furnishes data in support of this fact, the then proportion of the agricultural class of the Island to its total population was 70.5 per cent. Nearly 92 per cent of the entire agricultural class were cultivators and agricultural labourers. Although obliged at times to follow occupations other than agriculture to obtain their subsistence, the Sinhalese labourers preferred to call themselves cultivators, agriculture being looked upon by them as an occupation 'dignified in Buddhism and entirely in accord with the natural inclinations of the people.' Having

land as the almost certain means of their livelihood, the Sinhalese peasant-labourers normally, therefore, cold-shouldered the idea of undertaking estate work. When their income from land became inadequate to meet the wants of their families, they preferred casual labour near at hand to the work on distant estates. In his famous despatch of 21 April 1847,<sup>10</sup> Emmerson Tennent, the Officiating Lt.-Governor of Sri Lanka, emphasized *inter alia* the possession of cultivable land as a factor discouraging the Sinhalese labourers from leaning towards plantation work. As Tennent wrote: 'The natives of this Island are themselves habitually averse to labour; their wants are so few that nature supplies them almost without the exertion of cultivation and, even when this is resorted to, the merest strip of irrigated land yields sufficiency of rice to raise the tiller above the necessity of toiling for hire under a master. Under these circumstances, few of the Kandyan peasantry were at any time disposed to lend their aid to the new settlers, and those who did on the first opening of the plantations discontinued their services by degrees, disgusted by the want of good faith on the part of their employers, by the breach of engagements and (by the) unkindness of their general treatment. During the pressure of labour in the late coffee season, I have heard that in some instances Cingalese and Kandyans have been induced, though in small numbers, to work on the Estates but I have reason to fear that both from recent and permanent causes no reliance can at present be placed on the relief from that quarter, as, even when not deterred by other causes, the cultivation of their own patches of rice-land renders their services uncertain and always irregular and unsatisfactory...'

Tennent's despatch quoted above discloses that despite their normal aversion to plantation work a small number of the Sinhalese and Kandyan labourers could be prevailed upon to work on coffee estates. According to Dr. Silva,<sup>11</sup> the coffee planters were able to employ some local labour from about the 1820's to the early 1840's. The Report of the Clifford Commission<sup>12</sup> discloses the employment of the Sinhalese labourers as estate workers even as late as 1908. Bearing on this point the Commission stated in its Report: 'We find that the number of Sinhalese villagers,

both men and women, who at the present time work with greater or less regularity upon estates under European management, is far greater than was generally supposed. We find that where local conditions are favourable, the estate being situated in the near neighbourhood of Sinhalese villages, little difficulty is found in inducing the villagers to engage in estate work, but that it is their practice to return to their homes when the day's toil is ended and that they can, only in very rare instances, be persuaded to reside upon the estate...On the whole, the evidence before us points to the conclusion that Sinhalese labour is as efficient as that of the Immigrant Tamil but it is less dependable, since the villagers have their own interests to which to attend and cannot be expected to neglect them for the convenience of the estates... The conservative nature of the Sinhalese peasantry, their mode of life and habits of living are factors which have to be countered with before a regular flow can be established. The rigid discipline of an estate labourer's life cannot be easily inculcated upon a new class of labour, used to a free atmosphere in their home surroundings.' Obviously, therefore, the European planters were disappointed in the local labourers for coffee and, subsequently, for tea plantations. Whatever supply of the lowland Sinhalese and highland Kandyan labourers for coffee plantation was initially available soon petered out specially in face of the Kandyan resentment of any influx of the lowland workers. The lowland Sinhalese labourers, however, sought employment in large numbers on rubber estates as these were situated near their villages in the low, wet zone. Out of the total 55,000 Sinhalese workers employed in 1935, 35,000 worked in the Low-country, 14,000 in the Mid-country and 6,000 in the Up-country areas<sup>13</sup>

At one stage, the British planters thought of solving the labour problem by importing Chinese labourers and African slaves. On the question of the introduction of Chinese labourers into Sri Lanka, Governor Torrington<sup>14</sup> wrote to the Colonial Secretary, Lord Grey, in 1847, suggesting that steps might be taken to procure them from Hong Kong, Amoy or Singapur, especially from Singapur, by offering sufficient inducement to them. In this connection, Torrington had the pleasure of writing further to Grey: 'The prohibition by the Dutch Government of any further introduction in Java of

Chinese immigrants at present could add to the facility of inducing them to resort to Ceylon, and the greatest encouragement to them to venture upon such a step would be the promise of the occupation of portions of government land rent-free for cultivation for some definite period. These observations apply more particularly to that class of persons who would be inclined to become permanent settlers.<sup>15</sup> The scheme of importing Chinese labourers was, however, finally abandoned. The British planters in Natal at first employed Chinese labourers on their sugar estates but they soon discovered that a Chinese labourer was bent on earning money 'without too much laborious physical work and without denying himself reasonable indulgence in what he considered to be the luxuries of life.'<sup>16</sup> The recruitment of Chinese labourers for the sugar estates in Natal was accordingly discontinued as soon as their nature was found out by the Natal planters. The planters in Sri Lanka could have come to know beforehand how worthless the Chinese labourers were for plantation purpose and accordingly took a timely decision against their employment. The idea of importing African slaves had to be abandoned in view of the abolition of slavery in 1834.

The only resort now left to the planters in Sri Lanka was the South Indian labour. Tennent also had drawn the attention of Grey to the desirability of obtaining South Indian

**Final resort to South Indian labour** labour in his despatch of 21 April 1847 thus: "The great object of the colonial government should be to create a permanent and indigenous supply of labour within the Island and, if this is not to be effected by stimulating the inert and contented Cingalese, another expedient is still open by holding out such encouragement as may induce the Indian labourers to settle permanently in Ceylon. Such a settlement should be encouraged on the estates..."<sup>17</sup>

Tennent's suggestion to encourage and induce Indian labourers to immigrate into Sri Lanka for investing their

**Reasons why Tamil labourers responded to the planters' demand** labour on estates was finally approved and acted up to. In default of an adequate number of willing and dependable Sinhalese labourers, the Tamil-speaking labourers from South India came at last to be recruited. But what

factors prevailed upon the Tamil labourers to submit to the inducements of the British planters and to immigrate into Sri Lanka ? Was the impact of overpopulation one such factor ? That the population of the Madras Presidency had been generally on the increase from before the 1830's would be indicated by the following Table :<sup>18</sup>

Year	Total population of the Madras Presidency
1821-22	1,34,76,923
1836-38	1,39,67,395
1851-52	2,20,31,697
1856-57	2,28,57,855
1861-62	2,40,56,468
1866-67	2,65,37,052
1871	3,12,81,177
1881	2,97,84,800
1891	3,43,36,196
1901	3,81,99,162
1911	4,18,70,160

The stream of immigration of the labourers from South India was fed largely by the flow of labour from Tanjore, Trichinopoly, Tinnevelly and Madura, the population of which districts was generally on the increase during the period from 1821-22 to 1911, as the following Table would show :<sup>19</sup>

	1821-22	1836-38	1851-52	1856-57	1861-62
Tanjore	9,01,353	11,28,730	16,76,086	16,57,285	16,52,170
Trichinopoly	4,81,292	4,85,242	7,09,196	8,09,580	9,39,400
Madura	7,88,196	5,52,477	17,56,791	17,92,737	18,56,406
Tinnevelly	5,64,957	8,50,891	12,69,216	13,39,374	13,70,221
	1866-67	1871	1881	1891	1901
Tanjore	17,31,619	19,73,731	21,31,019	22,28,114	22,45,029
Trichinopoly	10,06,826	12,00,408	12,15,033	13,72,717	14,44,779
Madura	19,46,389	22,46,615	21,68,680	26,08,404	28,31,280
Tinnevelly	15,21,168	16,93,959	16,99,747	19,16,095	20,59,607

Tanjore	23,62,689
Trichinopoly	21,07,029
Madura	19,32,832
Tinnevelly	17,90,619

The above two population Tables are indicative of a general trend towards expanding population but do not exactly point to a tendency towards 'overpopulation' as the term is understood in the Science of Economics. Overpopulation not merely means the increase of population but also implies that the people of the highly populated country fail to procure food and find employment even after the gainful utilization of the factors of production. In the aforesaid years, population of the Madras Presidency gradually increased, unaccompanied by an efficient production and equitable distribution of food-stuff, with the result that the increase of population intensified pressure on the existing means of subsistence there. The worst sufferers were those who occupied the lower strata of society, namely the pariahs and landless serfs. The increased population could have been fed, rather better fed, had any decided stimulus been given to agricultural production for a reasonably long period to make it extensively felt. But unfortunately, the then Government of India did not stimulate agricultural production, which caused shortage of food and prevailed upon the worst sufferers to seek relief in immigration. It was not, then, 'overpopulation' in the technical sense of the term, but 'expanding population', wanting in food and gainful employment, which supplied a stimulating factor behind the Tamil immigration into Sri Lanka. This 'expanding population' sans food and gainful employment was the symbol of poverty or economic distress which supplied the root cause of the Tamil labourers' immigration into the Island.

The land-revenue policy initiated by the English East India Company hit the peasant community a hard blow, gradually contributing to rural pauperization in India. In the Permanent Settlement areas, the tillers of soil were ground down by the oppression of landlords, while, in the Madras Presidency, the Ryots under the Ryotwari system were hit harder by the over-assessment of land-revenue and by the

tyranny of the Government officials entrusted with tax-collection. The assessment of revenue under the Ryotwari settlement was 'too high to make agriculture a really profitable occupation.'<sup>20</sup> In many villages, one-third of the produce of the field was demanded as revenue from the petty Ryots with whom the settlement was made directly. Again, the revenue was required to be paid in cash which was fixed, irrespective of the annual produce of soil or the prevailing market-price, and the option of payment in kind was denied. This drove the peasants to resort to the money-lenders who were the survivors of the old trading classes with their occupation gone in the wider field due to the decline of national industries.<sup>21</sup> As the money-lending business flourished in the Madras Presidency under the new land-revenue settlement, the Ryots came to be left more and more to the tender mercies of money-lenders for financial help. The low-paid Government officers added to the misery of the Ryots by burrowing deep into their pockets, practising fraud and oppression on them, and by subjecting them to various kinds of torture. Some of the Ryots might have been better off but the majority of them lived in poverty and in debt. Bourdillon, the Collector in North Arcot, left a graphic account of the pitiable plight of the latter class of Madras Ryots, as in 1853, in his 'Description of the Madras Ryot': 'A Ryot of this class, of course, lives from hand to mouth; he rarely sees money except that obtained from the chetty (money-lender) to pay his kist (instalment of government revenue)...His ploughing cattle are wretched animals, not worth more than 3½ to 6 rupees each (7 to 12 shillings), and those perhaps not his own because not paid for. His rude and feeble plough costs, when new, no more than 2 or 3 shillings; and all the rest of his few agricultural implements are equally primitive and inefficient. His dwelling is a hut of mud walls and thatched roofs, far ruder, smaller and more dilapidated than those of the better class of Ryots, and still more destitute of anything that can be called furniture. His food and that of his family is partly their porridge, made of the meal of grain boiled in water, and partly boiled rice with a little condiment; and generally the only vessels for cooking and eating from are of the coarsest earthenware...Brass vessels, though not wholly unknown among this class, are rare...'<sup>22</sup>

The Ryots of the class described above by Bourdillon were not landless. They had small patches of land which they cultivated with borrowed cattle but their chief means of subsistence was the wages they earned by working as labourers. Below them were the low-caste agricultural labourers who were cent per cent landless and a large majority of whom belonged to the depressed or pariah class and bore the stigma of slavery or serfdom. These labourers who thus occupied the lowest stratum of the Tamil society immigrated in large numbers into Sri Lanka to work on estates. Indignities arising out of their low-caste status and slavery-ridden condition in their own country as also their economic hardship goaded them to cross to Sri Lanka for fresh fields and pastures new, for a new life which would be free from any social stigma and which would no more feel the pinch of poverty. If the question of assisted Indian immigration into Sri Lanka was a Tamil phenomenon, it was also an Adi-Dravida affair in the sense that depressed classes such as Adi-Dravida initially contributed at least half of the total labour-immigrants and subsequently never less than a third.<sup>23</sup> The Report,<sup>24</sup> submitted by Rev. A. Andrew of the United Free Church Mission, Chingleput, to Sir John Atkinson, First Member, Madras Government, on 9 June 1914, on the socio-economic status of the pariahs in the Chingleput district, bears out their wretched economic condition and lowest social position. The pariahs, as the Report reveals, were untouchables and, therefore, undesirables. In each village, they were relegated to segregated areas for their residence, away from the habitations of the high castes who would never even dream of entering the pariah quarters without getting themselves polluted. The social cleavage was, therefore, intense. The pariahs were so hedged in with social restrictions that it was impossible for them to shake off their badge of social inferiority and to enjoy even the barest comforts of life. They lived from hand to mouth and were ill-clad; they were obliged to live in over-crowded huts and to subsist on a nutriment far below the sufficiency of diet, normally prescribed by doctors as necessary for life. A pariah's wages including the cost, amounting to about half anna a day, of 'ragi kanji' or gruel, which was his midday meal, were very low, ranging from Rs. 2-4-0 to Rs. 5-6-6 per month. A pariah, called Munian,

responsible for maintaining a family of six including himself, his wife, three children and an old man, had to manage his household expenses with his family's combined income amounting to eight rupees only. Perhaps the worst aspect of the life of a pariah was that in lieu of money he mortgaged his own labour or had his labour mortgaged by his parents or grand-parents, while he felt that he was under an obligation to serve his master, even though his parents or grandparents had received the money relating to the mortgage and the money so received by them had been spent even before his birth. The pariah, ever in want, had to run into debt without any idea of repaying it, thus being compelled to remain obliged to his master, the landlord, as long as he lived. The socio-economic condition of the pariahs of South India in the 1830's, when the immigration commenced, was as wretched as that described above by Rev. Andrew in his Report of 9 June 1914. The only hope left to the parian community in Chingleput and elsewhere in the Madras Presidency, therefore, lay in getting out of the caste-ridden South Indian villages by immigrating into Sri Lanka which promised them freedom from social tyranny and the prospects of a good standard of living. The Memorandum,<sup>25</sup> submitted by the Indian Association of Ceylon on 22 August 1922 to the Secretary, Standing Committee on Emigration, Simla, also stressed the fact that the immigration into Sri Lanka not only afforded a natural outlet to the large masses of the indigent population of South India but also provided them with a way of escape from the tyranny and oppression associated with the 'hateful system of caste.' The sustained flow into Sri Lanka of the vast numbers of men, women and children belonging chiefly to the depressed and destitute classes of the Tamil society of the Madras Presidency clearly established that to the immigrants Sri Lanka was a 'welcome sanctuary.'

The existence of the institution of slavery in the 19th century Madras Presidency gave an additional impetus to immigration into Sri Lanka. The agrestic slaves or the slaves employed as agricultural labourers were exclusively Hindus of the lowest and most degraded classes such as the Pullers and lived on the outskirts of villages in the Tamil-speaking parts<sup>26</sup> of the Madras Presidency, whereas the domestic slaves were principally Muslims, employed in Muhamedan

families and to be found all over the Madras Presidency. The agrestic slaves had a very miserable existence but the domestic slaves were, on the whole, better off. The agrestic slaves could enjoy little comfort of life, had to live on coarse, precarious and scanty food and had not even the barely necessary clothings; neither was there any provision for their maintenance in old age and sickness. Their habitations were most wretched. These were only 'challas' or huts which had to be erected at a safe distance from the habitations of high-caste people. The labour demanded of them was onerous and oppressive. They were employed in all kinds of agricultural labour including the cultivation of rice and sugarcane, without the intermission of a single day, so long as their masters could find employment for them.<sup>27</sup> Nowhere perhaps was the plight of the agrestic slaves more pitiable than in Malabar. The agrestic slaves in Malabar could be distinguished from the rest of the population there 'by their degraded, diminutive, squalid appearance, their dropsical pot-bellies contrasting horribly with their skeleton arms and legs.'<sup>28</sup> They were half-starved, hardly clothed, and were in a condition scarcely superior to that of the cattle employed in ploughing the land of their masters.<sup>29</sup> As noted by Dharam Kumar, the agricultural labourer in Malabar 'was in some respects treated like a commodity of production.'<sup>30</sup> Agrestic servitude was, on the whole, deep-rooted in the South Indian society. It was, as noted by Dharam Kumar, less widespread and less rigorous in the Telugu districts than in Tamilnad and much less so than in Malabar and South Canara.<sup>31</sup> A surgeon in the service of the English East India Company, Dr. Francis Buchanan, who was appointed by Lord Wellesley to survey the condition of Mysore, Malabar and Canara, revealed in his Report<sup>32</sup> the rigours of agrestic servitude of which he got evidences in the course of his survey. He was moved specially by the rigours of the agrestic servitude as in South Malabar.<sup>33</sup> It was natural, therefore, for such a suffering section of the population of the Madras Presidency to have availed itself of the opportunity of immigrating into Sri Lanka to escape the miseries and hardships of life.

Could the immigration be ascribed to famines which often visited upon the Madras Presidency in the 19th century?<sup>34</sup> The famine of 1876-78 which was perhaps the worst ever calamity

to befall the Presidency in the 19th century may be reviewed here as a test case to assess the impact of famine on immigration into Sri Lanka from the famine-stricken parts of the Madras Presidency. On 20 April 1880, the Colonial Secretary, Colombo, J. Douglas, wrote to the Chief Secretary, Government of Madras, to inform him that 'one effect of the disastrous famine which prevailed in the Madras Presidency during the years 1876 and 1877 was to cause an influx of Tamil immigrants into Ceylon altogether out of proportion to the requirements of our labour market'.<sup>35</sup> The Colonial Secretary also wrote on 8th March 1880 to the Secretary, Government of India, Home, Revenue and Agricultural Department (Emigration), in the same vein, namely that 'large numbers of famine-stricken people migrated to Ceylon from Madras Presidency in 1876-77 in search of food and employment'.<sup>36</sup> According to the joint Report of Marjoribanks and Tambi Marakkayar, 'the great famine of 1876-77 led to an abnormal amount of immigration into Ceylon in those years'.<sup>37</sup> Dr. Lanka Sundaram also held the same view.<sup>38</sup> The increase in the volume of immigration in 1876-77 cannot be disputed but the point for consideration is whether or not this increase in the volume of immigration could be ascribed to the outbreak of famine and the consequent dearth of food in the Madras Presidency. According to C. Bernard's (the then Additional Secretary to the Government of India) statement, based on Returns from sea-ports, the number of immigrants who reached Burma, Ceylon and other countries from the Madras Presidency by sea-passage during the 14 months of famine was 2,87,482 as against the average figure of 1,56,143 for the corresponding period in normal times. Emigration by sea, according to Bernard's statement, therefore, almost doubled during the period of famine. But, as he further stated, 'there is nothing to show how many of these emigrants came from the famine districts'.<sup>39</sup> Moreover, during the famine period a huge influx of immigrants reached Sri Lanka from Tanjore, Tinnevelly, Trichinopoly and Madura but these districts were 'scarcely recognized as famine areas' as compared with the more grievously afflicted districts to the north, namely Salem, Coimbatore, North Arcot, South Arcot, Nellore and Chingleput. The people of these 'more grievously afflicted districts' did not have recourse

to 'cross-sea' immigration but temporarily resorted to internal migration into Trichinopoly, Tanjore and other more or less affluent areas in search of food or work,<sup>40</sup> waiting for good days to return when they would be back in their home districts. It, therefore, stands to reason to conclude that famine did not lead to an abnormal increase of immigration into Sri Lanka. Some might have emigrated from the famine-stricken areas but their numerical strength was not such as to establish a cause-and-effect relation between famine and immigration. The normal trend of migration from a particular district in the grip of a grave calamity like famine is a tendency to drift to the nearest district or districts within the same country offering opportunities for a temporary relief. Responding to the same trend, the famine-stricken labourers of the northern areas of the Madras Presidency sought relief mostly in the territories to the south, though a certain percentage of them might have immigrated into Sri Lanka. Again, the section that thus went abroad under abnormal circumstances did not immigrate with a view to permanent settlement, as many of them returned to India under favourable circumstances.<sup>41</sup> The districts, which were 'scarcely recognized as famine areas', namely Tanjore, Trichinopoly, Tinnevelly and Madura, supplied a fairly large number of immigrant labourers to Sri Lanka in 1876 and 1877, not under conditions of famine but in the wake of coffee-speculation, the timing of which synchronized accidentally with the famine-period.<sup>42</sup> The coffee planters made the last bid for a speculation in coffee in the latter part of the decade ending in 1881. The cultivation of more land with coffee seeds in Uva and Central Province required a rush of Indian labourers who came principally from the southern districts which enjoyed practical immunity from the famine of 1876-78. The coffee plantation reached its zenith in 1878, followed by its final eclipse in the years between 1881 and 1886. The stream of the Tamil labourers who rushed into Sri Lanka, lured by the prospects of employment in the wake of the speculation in coffee, had now to flow back and each succeeding year saw the Tamil population gradually reduced till the year 1887 when the success of tea plantation brought back the tide of immigration and caused an excess of the arrivals over the departures in each succeeding year.<sup>43</sup>

Higher wages and fringe benefits were a kind of inducements to the labourers to immigrate into Sri Lanka. The problems of wages and fringe benefits have been discussed in detail in Chapter II. Suffice it to say for the present that the fringe benefits like the supply of rice at a concessional rate, free accommodation etc. proved alluring to the Tamil labourers and that the wages offered by the coffee and tea planters in Sri Lanka were higher than the wages the agricultural labourers in Madras were entitled to during the plantation period. Sir H. G. R. Robinson's (Governor of Ceylon) despatch of 6 March 1867 to the Secretary of State for Colonies discloses that in 1866 an adult Sinhalese male labourer earned wages from 7 d. to 9 d. a day.<sup>43</sup> In contrast, the wages prevalent in the Madras Presidency in the 1860's were, according to Dr. Silva, only 3 d. a day.<sup>44</sup> But the wages in Sri Lanka during the plantation period varied with the location of the estate, being the lowest in the Low-country and the highest in the Up-country. Moreover, considering the cost of living, the wages in Sri Lanka could not be regarded as much higher. Still the labourers offered themselves as plantation workers in Sri Lanka, because they could get there continuous employment on the estates throughout the year in the place of the intermittent demand for labour in their home districts.<sup>45</sup> According to the findings of Rev. A. Andrew on the condition of the pariah population of Chingleput, in some places, work was available for 20 days in the month on an average throughout the year and, in other places, it was very scarce for about 4 months during off season, when there was very little demand for agricultural labour. Again, there were places, as Rev. Andrew noticed, where there were no absolutely fixed wages because the rate changed as the demand for human labour increased or decreased.<sup>46</sup> This absence of demand for continuous work all the year round was not anything peculiar to Chingleput. It was rather common to all other districts of the Madras Presidency. In such circumstances, the South Indian labourers were not indisposed to find employment as estate labourers in Sri Lanka where the employment on estates offered an additional advantage, namely that the whole family—males, females and children—could have the opportunity of being employed all together on one and the same estate.

The failure of monsoon short of famine in the Madras Presidency was another factor behind immigration into Sri Lanka. A bad season in South India meant a plethora of labour for Sri Lanka. The want of good and timely rain in the districts nearest to Madras, especially in Chingleput, North Arcot and Nellore in 1904 spelled a lot of hardship for the agricultural labourers by bringing field work to a standstill in those districts. The year 1904, therefore, proved to be 'an exceptionally good one for recruiting labour, with every prospect of a great reduction in advances.'<sup>47</sup> The cause-and-effect connection between bad monsoon and immigration can be established also with reference to the movement of labourers in 1924. The period from January to July 1924 saw an extraordinary rush of Tamil labourers into Sri Lanka. In those seven months of the year, there arrived in Sri Lanka as many as 1,08,819 labourers, more than double the number of arrivals for the corresponding period in the previous year. The abnormal rush was occasioned by the failure of monsoon in some of the recruiting districts such as Salem, North and South Arcot, Trichinopoly and Puducottai, the worst affected district being Salem which contributed over four times its usual quota. The agricultural condition was so depressing that in certain cases the entire families immigrated into Sri Lanka. Many families of weavers in Salem left their villages and migrated to Sri Lanka to escape starvation, an inevitable sequel to an adverse rainy season in a country like India where agriculture is a gamble in rain. Another interesting feature of the labour movement in the abnormal circumstances of 1924 was that the pick of the ryot population, mainly small landholders, formed a larger proportion of the immigrants than in previous years.<sup>48</sup> The above two cases of an influx of immigration caused by unfavourable monsoon are only illustrative, not exhaustive. If a bad monsoon augmented the flow of labour immigration, a good monsoon inevitably caused an ebb in its tide. The abundant rainfall in South India in 1929, for instance, led to a shortfall in the number of immigrants from 1,33,712 in 1928 to 1,05,095 in 1929. Likewise, depression in plantation industries was likely to cause a set-back in the volume of immigration. For instance, the total strength of Indian labourers including their depen-

dants, employed on estates at the end of 1933, was 6,09,535 as against 6,50,577 at the end of 1932, the decrease of about 41,000 in the total population of the Indian estate labourers resulting from the depression in tea and rubber industries in Sri Lanka in 1932.<sup>49</sup>

(Sporadically occurring famine and adverse monsoon could be considered as but factors incidental to the immigration of the Indian labourers into Sri Lanka but not as its real causes.) It was poverty and social handicaps of the low-caste Tamil agricultural labourers, on the one hand, and, on the other, the British capitalists' investment of private capital in the plantation economy of Sri Lanka, necessitating the import of labour from abroad in the absence of an adequate and regular supply of local labour, which supplied the real causes of immigration of the Indian labourers into Sri Lanka. The social and economic conditions prevailing in the Madras Presidency on the eve of the commencement of the immigration in the first half of the 19th century created landless labourers, earning a meagre livelihood in good season and driven to the plimsoll line of poverty in seasons of adverse rainfall. Income from over-burdened land was very low whereas tax was exceedingly high. The amount of cultivable land available to the agricultural population was not commensurate with its economic needs. The result was the high rate of under-employment. (The socio-economic imbalance leading to acute economic hardship of the common people pushed them out of the country of their origin to be pulled by the planters in Sri Lanka. It was, according to Rajaratnam, more a push from India than a pull by the planters that made Sri Lanka 'a haven to the impoverished proletariat of South India').<sup>50</sup> Some, however, would suggest that it was the pull of demand from the receiving estate-areas which was the main economic force determining the Indian immigration into Sri Lanka. The fact, however, remains that behind the immigration there was the interaction of both the 'push and pull' factors, sustained, on the one hand, by the poverty of the South Indian labourers and, on the other, by the plantation-needs of the British capitalists in Sri Lanka.

The trail blazed by the Tamil labourers was, in course of time, followed by middle-class migrants who sailed to Sri

Lanka with the motives of trade and industry. Immigration has an important economic aspect in that it results in creating profitable markets for the mother-country in the lands to which it is directed. Sri Lanka not only provided the large masses of the indigent population of the Tamil South with a way of escape from the pinch of poverty and the tyranny of caste but also opened up before the Indian industrialists, business men and bankers tempting avenues for their economic enterprises. The bright prospects of making money lured the Nattukottai Chettians, Gujaratis and other business men as also professionals to migrate to Sri Lanka, with no desire to settle there permanently, but with the intention to stay there as the holders of temporary residence permits, renewable from time to time.

Tamil labourers  
followed by  
middle-class  
migrants

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#### FOOTNOTES

1. Govt. of India, Ministry of External Affairs and Commonwealth Relations. Correspondence exchanged between the Govt. of India and Ceylon regarding the grant of rights of citizenship to Indians resident in Ceylon, 1947-48. Letter no. 268/48-S, dated 17.7.1948, from Nehru to Senanayake and letter no. EA-10/3/A, dated 17.8.1948, from Senanayake to Nehru, pp. 27, 33-34. Vide also Ceylon Sessional Paper XXII-1948.
2. Parl. Pap. (H.C.) Vol. XII, 1850—Reports from Committees, Para. 3192.
3. History of Ceylon, Vol. III, ed. by K.M. de Silva, p. 97. The acreage of coffee estates under non-European ownership gradually increased with the passage of years. For instance, the non-Europeans owned 12,642 acres in 1871-72 and 20,352 acres in 1880-81 as against 1,82,985 acres held by Europeans in the former year and 2,36,148 acres in the latter. *Ibid.*
4. 'Report on Indian Labour emigrating to Ceylon and Malay' by N.E. Marjoribanks and Khan Bahadur A.K.G. Ahmad Tambi Marakkayar, 1917, Section II.
5. 'A War on Want investigation into Sri Lanka's tea industry and the plight of estate workers' by Miss Edith M. Bond (March 1974)
6. Census of Ceylon, 1901, Vol. I, Chap. XIX, p. 161. Also International Labour Review, Vol. XXIII, January-June, 1931—'Indian Labour in Ceylon' by Dr. Lanka Sundaram, p. 372. According to Marjoribanks and Marakkayar,

however, the figure for 1915 is slightly different, namely 4,26,816 acres, as detailed below :

Tea planting districts	Area under Tea in 1915 in acres
Kandy	1,04,634
Matale	19,600
Nuwara Eliya	1,29,353
Badulla	65,255
Ratnapura	29,500
Kegalla	40,201
Colombo	749
Kalutara	15,676
Galle	13,565
Matara	7,368
Karunegala	915
All districts	4,26,816 acres

Vide 'Report on Indian Labour' by Marjoribanks and Marakkayar, Part II, op. cit.

7. The Ceylon Journal of Historical and Social Studies, Vol. 4, July-Dec., 1961, No. 2—"The Ceylon Tea Industry" by S. Rajaratnam, p. 187.
8. International Labour Review, Vol. XXIII, p. 372, op. cit. According to Marjoribanks and Marakkayar, the figure for 1915 was 1,98,463, as detailed below :

Rubber planting districts	Area under Rubber in 1915 in acres
Kandy	15,765
Matale	30,500
Badulla	10,873
Ratnapura	27,000
Kegalla	46,781
Colombo	7,523
Kalutara	53,521
Matara	1,040
Karunegala	5,460
All districts	1,98,463 acres

Vide 'Report on Indian Labour' by Marjoribanks and Marakkayar, Part II, op. cit.

9. Census of Ceylon, 1891, pp. 52-53.
10. Lot 5/34, N. A. of Sri Lanka—Despatch no. 6, Misc. of 21. 4. 1847 from Tennent to Grey, p. 214. ( Corresponding to C. O. 54/235 ).
11. K. M. de. Silva, op. cit., pp. 97-98.
12. The Commission was appointed by Sir Henry McCallum, the then Governor of Ceylon, in 1908, under the chairmanship of Hugh Clifford, then Colonial Secretary, to report, and advise on, the employment of Sinhalese labour on estates. Vide Report of the Controller of Labour for 1937—T. N. Archives, G. O. no. 3144, 12. 12. 1938, Development Dept.

13 Ceylon Sessional Paper III, 1938—Report of a Commission on Immigration into Ceylon by Sir Edward St. J. Jackson, April 1938, p. 25. For definitions of Low-country, Mid-country and Up-country areas see F. N. 56, Chap. II.

14 Lot 5/34, N. A. of Sri Lanka—Despatch no. 155, Misc., 12 Nov. 1847, from Torrington to Grey, pp. 843-49.

15 Ibid.

16 G. H. Calpin, Indians in South Africa, p. 2. Also H. P. Chattpadhyaya, Indians in Africa, p. 20.

17 Despatch No. 6, Misc., 21. 4. 1847, from Tennent to Grey, op. cit.

18 Report of the Census of the Madras Presidency, 1871, Vol. I; Census of India, Vol. XIV, 1891; Vol. XVB, 1901; and Vol. XII, Part II, 1911. The population of 1881 was less than the population of 1871. The population of each other succeeding year, however, was higher than the population of the preceding year.

19 Ibid.

20 Nilmoni Mukherjee, The Ryotwari System in Madras, p. 278.

21 N. C. Sinha, Indo-British Economy 100 years Ago, Chap. IV, p. 54.

22 Bourdillon, Description of the Madras Ryot in 1853. Quoted in R. C. Dutt's Economic History of India (1837-1900), Vol. II, 1963 (Reprint), p. 50.

23 Census of India, 1931, Vol. XIV, Madras, Part I—Report, p. 86.

24 N. A. of India, Dept. of Com. and Indus., Govt. of India, Progs. 12-14, June 1917, Filed and Indexed.

25 N. A. of India, Dept. of Edu. H. and L. Overseas, Govt. of India, Progs. A 10-55, July 1923.

26 The Tamil areas inhabited by the agrestic slaves were principally Malabar, Canara, South Arcot, Tanjore, Trichinopoly and Tinnevelly. In Chingleput, serfdom was widely prevalent at the close of the 18th century but by 1819 there was a marked decline of serfdom though it still existed in some degree. By the middle of the 19th century, serfdom was confined to Malabar, Tanjore, Tinnevelly and Trichinopoly. Vide A. Sarada Raju, Economic Conditions in the Madras Presidency, 1800-1850, pp. 273, 276.

27 Vide 'Slavery and Slave trade in British India; with notices of the existence of these evils in the islands of Ceylon, Malacca and Penang (Drawn from official documents)', London, 1841, pp. 17-19.

28 The Journal of Literature and Science, Vol. I, Octo. 1833 to Decem. 1834—Campbell, 'On the State of Slavery in Southern India', p. 249.

29 Ibid.

30 D. Kumar, Land and Caste in South India, p. 34.

31 Ibid.

32 The Report submitted by Dr. Buchanon was styled 'A Journey from Madras through the countries of Mysore, Canara and Malabar,' and was published by the Directors of the E. I. Co. in three volumes in 1807.

33 On Malabar, Dr. Buchanan wrote : 'In South Malabar, by far the greater part of labour in the fields is performed by slaves or churmar. They are the absolute property of their Devarus or lords and may be employed in any work that their masters please. They are not attached to the soil but may be sold or transferred in any manner that the master thinks fit. Only husband and wife can be sold but children may be separated from their parents, and brothers from their sisters. Vide 'A Journey from Madras through Countries of Mysore, Canara and Malabar.' Vol. II. p. 67. Also D. Kumar, op. cit., p. 36.

34 Report of the Indian Famine Commission, Part I, Famine Relief, 1880 (pp. 21-22) gives out the following years of famine in the Madras Presidency in the 19th century : 1807, 1813, 1824, 1833, 1834, 1844, 1845, 1854, 1866, 1877. According to 'Review of Madras Famine', 1876-78 (Madras, 1881), famine prevailed throughout a large portion of the Madras Presidency during the years 1876, 1877 and 1878.

35 Proceedings of the Madras Govt., Public Dept., T. N. Archives, Progs. 5, 1 June 1880.

36 Madras Govt. Progs. Public Dept, T. N, Archives, Progs., No. 35, 14 June 1880.

37 Report on Indian labour emigrating to Ceylon and Malaya by Marjoribanks and Marakkayar, op. cit., Section II.

38 International Labour Review, Vol. XXIII, January-June 1931—'Indian Labour in Ceylon' by Dr. Lanka Sundaram. p. 371.

39 Review of Madras Famine, Madras. 1881, Appendix B, Para. 5, p. 94.

40 Ibid. Minute by Sir W. R. Robinson, 27 May 1878.

41 Ibid.

42 Census of Ceylon, 1891. p. 14.

43 Madras Govt. progs., Public Dept., T. N. Archives, prog. no. 171, 22 August 1867.

44 K. M. de Silva (ed.), op. cit., p. 99.

45 Lot 4/452, N. A. of Sri Lanka—Despatch no. 451, 23. 8. 1926, G. O. no. 1614, 8. 5. 1926, Law (General) Dept.—Annual Report on the working of the Indian Emigration Act, 1922 and the Rules issued thereunder—Madras Report for the year 1925.

46 N. A. of India, Dept. of Com. and Indus. Progs. 12-14, June 1917. Filed and Indexd—Rev. A. Andrew's Report, submitted to Sir John Atkinson.

47 Report of the Ceylon Labour Commissioner, Norman Rowsell, for the period from 1. 6. 1904 to 31. 12. 1904.

48 N. A. of India, Dept. of Edu. H. and L. Overseas, Progs. 92-98B, October 1924—Letter from S. Ranganathan, Agent to the Govt. of India, Kandy, 8 Aug. 1924.

49 Report of the Agent of the Govt. of India, Ceylon, 1933.

50 Vide Rajaratnam's article 'Plantation Labour In Ceylon', published in 'Young Socialist' (Colombo), no. 3, October-December 1961.

## CHAPTER II

### THE COMMENCEMENT OF IMMIGRATION RECRUITMENT AND TREATMENT OF LABOURERS

With the British occupation of Kandy in 1815 Sri Lanka passed under the sovereignty of the British Crown. The new regime stressed the need for the reclamation and development of the Island. Roads, bridges and irrigation-canals were to be constructed—roads from Colombo to Kandy, from Kandy to Trincomalee, from Colombo to Galle; bridges at Gampola, Katugastota and Kalutara; canals at Puttalam and Kalutara. Railways needed to be built through jungles, marshes and tropical terrains. And yet, for such strenuous projects for development, adequate and suitably skilled or semi-skilled workers were not locally available. The scarcity of suitable hands in Sri Lanka for the above purposes led the Colonial Government to form, in 1821, a semi-military organization, known as the Pioneer Labour Force, by indenturing skilled and semi-skilled labourers from Tanjore, Trichinopoly and Madura in South India.<sup>1</sup> The South Indian labourers, thus recruited as members of the Pioneer Labour Force, came to be employed in the development projects taken in hand by the Government after 1815. Within a decade or two of the formation of the Pioneer Labour Force commenced the recruitment of Tamil labourers for the coffee estates in Sri Lanka through the Kangani system, not through the system of indenture. The first batch of the Tamil

labourers is generally regarded as having reached the Island in 1837. Successive batches followed till

**Commencement of immigration** 1939 in which year the immigration of unskilled labourers came to be banned.

The total number of the Tamil labourers employed on the coffee estates in 1837 was estimated at 10,000.<sup>2</sup> The industry developed rapidly. The demand for Tamil labour consequently rose high. The tea plantation which took the place of coffee cultivation after its decay demanded a larger supply of Tamil labourers who accordingly immigrated into Sri Lanka in larger numbers to meet the increasing demand for labour on tea estates.

Initially, immigration into Sri Lanka was free from Government control, no permission from the Government of India being required for the recruitment of Indian labourers for Sri Lanka, and the Indian labourers willing to immigrate into the Island not being under an obligation to obtain licence from Government as a passport to their immigration. Though till 1847 Sri Lanka was not officially on the list of territories to which immigration was allowed, the Government of India did not mind the immigration of Indian labourers into Sri Lanka on account of India's proximity to, and the facilities of communication with, the Island. As Tennent argued in his despatch of 21 April 1847, 'there is reason to believe that the authorities on the coast of India were not anxious to check a movement so manifestly advantageous to their own people so long as its general arrangements were irreproachable and its result satisfactory to the labourers.'<sup>3</sup> In a letter of 6 February 1847 to the Colonial Secretary, the Government of India pointed out that, in accordance with the prevailing Indian law on emigration, it was illegal to abet the immigration of labourers from India except to Mauritius, British Guiana, Jamaica and Trinidad but that the Indian Government would be ready to amend the law so as to lift the ban on immigration into Sri Lanka, provided that the Government of Sri Lanka would undertake to prevent the Indian labourers from immigrating from Sri Lanka into other colonies in evasion of the law. Sri Lanka agreeing to accept this condition, India passed Act XIII of 1847, removing all restrictions on immigration into Sri Lanka on the ground that the Island was socially, geographically and historically consi-

dered analogous to India.<sup>4</sup> The Act did not come into force until the Government of India received a copy of Ceylon Ordinance No. 3 of 1847 stipulating that Indian labourers, who would come to Sri Lanka for work on estates, would be prohibited either from contracting in Sri Lanka for labour to be performed in any British or foreign colony beyond the limits of Sri Lanka or from immigrating from Sri Lanka into any such colony for employment as labourers.<sup>5</sup> Consequently Act XIII of 1847 came into operation with effect from 13 November of the year, lifting the ban on Indian immigration into Sri Lanka. If the Indian labourers' immigration into the Island had been, informally or by convention, free from any restrictions before 1847, it came to be declared free with the sanction of law from 1847.

The estate labourers were recruited mostly from the Tamil-speaking districts of the Madras Presidency, namely

**Areas of labour-recruitment**

Trichinopoly, Tanjore, Pudukkottai, Madura, Ramanad (Ramanathapuram), Tinnevelly, Salem, North Arcot, South Arcot, Chingleput, Coimbatore, Madras and Pondicherry.

In his Administration Report for 1931, N. J. Luddington, Acting Controller of Indian Immigrant Labour, also recorded that the majority of the labourers were recruited from the districts around Trichinopoly and that a circle, drawn with a radius of about fifty miles around Trichinopoly, embraced the most important recruiting districts. The above Tamil-speaking areas, around Trichinopoly, which are situated along the Coromandel Coast, normally supplied the largest number of estate labourers. Sir Edward Jackson, for instance, noted, during his enquiry between 1936 and 1938 into the immigration of Indian labourers into Sri Lanka, that the districts around Trichinopoly then supplied about 75 per cent of the estate labourers but contributed only about 17 per cent of the non-estate migrants.<sup>6</sup> The territories along the Malabar Coast—Malabar, Quilon, Cochin and Trivandrum, all Malayalam-speaking—supplied, according to Jackson, a negligible number of estate labourers but sent out about 16 per cent of the non-estate migrants.<sup>7</sup> The aforesaid Tamil- and Malayalam-speaking districts besides, the Canarese districts of Bangalore and Mysore as also the Telugu districts of Chittoor, Cudappah and Vizagpatam also supplied a propor-

tion, though very small, of estate labourers for the plantation work. An interesting feature of the labour recruitment that emerges from the above analysis is the localization of the labour-force in regard to both the areas of recruitment and the places of employment. The majority of the estate labourers hailed from the Tamil-speaking areas situated round about Trichinopoly, which was the largest individual supplier of labour. Similarly, the majority of the labourers were employed on the estates in the Central Province of Sri Lanka. In 1928, for instance, 54 per cent of the estate-labour population were concentrated in the Central Province, nearly 36 per cent in the two provinces of Sabaragamuva and Uva, the remaining 10 per cent being distributed among other provinces.<sup>8</sup>

The scarcity of Tamil labourers for the coffee estates in 1859, arising out of the greater demand for labour on higher wages at home due to the reduction of taxes on land, improved cotton cultivation and better agricultural prospects, suggested to the Immigration Labour Commission, Colombo, that the scarcity of labour could be met by importing labourers from the Northern Circars<sup>9</sup> of the Madras Presidency. The Commission had in its view the labour-position in Mauritius where, under a system of contracts for lengthened terms, the supply of labour was abundant.<sup>10</sup> The idea of introducing labourers from remote districts under a written contract of three years' service was incorporated in Ordinance No. 15 of 1859.<sup>11</sup> But the Ordinance was disallowed in London, and the scheme of importing labourers from the Northern Circars was abandoned.

In April 1874, the Coffee Planters' Association at Kandy made a move for obtaining labourers from Bengal for the coffee estates. On 23 April of the year, Secretary of the Association, W.D. Gibbon, wrote to the Colonial Secretary, Colombo: 'If the Ceylon Government could make satisfactory arrangements with the Government of Bengal for the introduction of labour from that part of India on lengthened terms of engagement, such labour could be suitable for Badulla, Haputale and Ooda Pusilawa, where crop operations extend over nine months of the year. The Committee (of the Planters' Association) are also of opinion that labourers from Bengal would be found most serviceable on tea plantations.'<sup>12</sup>

The Acting Colonial Secretary, Colombo, J. Swan, accordingly wrote on 9 May 1874 to the Secretary, Government of India, Department of Revenue, Agriculture and Commerce, on the subject, requesting him to refer the matter to the Viceroy of India and to furnish him with 'all the details of information upon this head.'<sup>13</sup> The Secretary to the Government of India, thereupon, referred the whole case to the Bengal Government on 4 June 1874, calling for information as to how and on what terms Bengali labourers could be obtained for the coffee estates in Sri Lanka. Rivers Thompson, Secretary to the Government of Bengal, wrote in reply on 13 July 1874 that, if labourers were to be secured from the province of Bengal, the system of emigration needed 'most of the protective arrangements which obtained in connection with other colonies'.<sup>14</sup> He also enclosed with his reply the following statement embodying the terms<sup>15</sup> on which labourers from Bengal could immigrate into Sri Lanka :

**Statement of Terms**  
**Monthly Wages**

	1st year	2nd year	3rd year	4th year	5th year
<b>Male labourers</b>					
<b>Adult</b>					
—above 18 years	10	11	12	13	14
—above 15 to 18 years	8	9	10	11	12
<b>Minor</b>					
—above 12 to 15 years	6	7	8	9	10
—10 to 12 years	5	6	7	8	9
<b>Female labourers</b>					
<b>Adult</b>					
—above 18 years	6	7	8	9	10
—above 15 to 18 years	5	6	7	8	9
<b>Minor</b>					
—above 12 to 15 years	4	5	6	7	8
—10 to 12 years	3	4	5	6	7

**Period of Indenture :** 5 years for each of the above categories of labourers

**Nature of Work:** Cultivation of soil and manufacture of produce, in respect of each of the above categories of labourers

**Duration of Work:** 6 days in a week, holidays being excepted, and 7 hours each day in the field and 10 hours in the buildings, in respect of each of the above categories of labourers

**Ration Scale:** Daily ration—Rice  $1\frac{1}{2}$  lbs.

or

Corn meal 2 lbs.

Monthly ration—Dal 8 lbs.

Ghee or Oil 1 lb.

Salt fish 4 lbs.

Salt 1 lb.

Chilly 4 oz.

Turmeric 1 lb.

Fuel sufficient

Period of supply—Entire Period of indenture

Free charge—Applicable to each of the above categories of labourers

**Dwelling house:** Free of charge in respect of each of the above categories of labourers

**Medical care and maintenance during**

**sickness:** Free of charge in respect of each of the above categories of labourers

**Free passage to India:** After 5 years' service under indenture, in respect of each of the above categories of labourers

The Central Government endorsed the above terms, suggested by the Government of Bengal, and communicated the same to J. Swan in reply to his letter of 9 May 1874, emphasizing, at the same time, that, 'if a system of emigration should be established between Bengal and Ceylon, it will be necessary to pass a special law for its regulation and for the protection of the emigrants.'<sup>16</sup> On being informed of the terms and conditions on which labourers from Bengal

would be available for estate work, Gibbon, Secretary, Planters' Association, wrote to the Colonial Secretary, Colombo, on 8 September 1874, pleading the Association's inability to accept the terms offered by the Bengal Government. The grounds on which the terms were unacceptable to the Association were that the wages demanded were 'very much in advance' of those paid to the Tamil labourers, that the cost of passage demanded both ways was heavy and that the seven hours' duration of work in the field was considered 'too short' by the planters. The principal hurdle in accepting the terms, according to the planters, was how to keep the Tamil labourers satisfied with their present wages if higher wages, as demanded by Bengali labourers, were conceded.<sup>17</sup> The Planters' Association finally passed the following Resolution, disapproving the recruitment of Bengali labourers for estate work: 'The Government be thanked for the information received with regard to the introduction of labour from Bengal to Ceylon but the Association is of opinion that the terms are such as not to offer any inducements to Ceylon planters to avail themselves of such labour.'<sup>18</sup> Bengalis thus did not immigrate into Sri Lanka as estate labourers. Only a handful of persons from Bengal—12 in 1927, 13 in 1928, 4 in 1929, as recorded in Ceylon Administration Reports for the respective years—might have casually visited the Island probably either as non-estate labourers or as free miscellaneous passengers during the period when immigration was lawful. Ceylon Administration Reports also record a far larger number of arrivals, all miscellaneous passengers, from Calcutta in different years—2,960, for instance, in 1927, 2,204 in 1928, 1,267 in 1929, 1,863 in 1930, 1,696 in 1931, 965 in 1932, 813 in 1933. Obviously, they were not the people from Bengal proper but must have been non-Bengalis from the north and west of India, who were engaged in trade and business in the *entrepot* of Calcutta and who took their chance to seek a fortune by migrating into Sri Lanka directly from Calcutta.

The non-estate labourers, like the estate labourers, came to Sri Lanka from South India, and the miscellaneous passengers, not only from South India but also from the northern and western parts of the country such as Banaras, Bombay, Delhi, Gwalior, Jallandhar, Kathiawar, Lahore, Poona, the Punjab, Simla and Haidarabad (Sind). The South Indian districts

wherefrom the majority of the non-estate migrants arrived at Sri Lanka included the Tamil districts of North and South Arcot, Chingleput, Coimbatore, Madura, Madras, Pudukkottai, Ramnad, Salem, Tanjore, Tinnevelly, Trichinopoly and Pondicherry; the Telugu districts of Chittoor, Nellore and Vizagapatam; the Canarese districts of Mysore and Bangalore; and the Malayalam districts of Cochin, Malabar and Travancore.<sup>19</sup> The non-estate workers who passed through the camp of Mandapam (in Ramnad) hailed, in large numbers, from Ramnad, Tanjore, Trichinopoly and Madura, whereas the non-estate emigration through the camp of Tataparai (near Tuticorin) was pronouncedly a Tinnevelly feature.

The method initially adopted by the planters to obtain the supply of Indian labourers was based upon the principle of indenture but their frequent desertion and the proximity of their home-land rendered the indenture system as the method of recruitment untenable. It was accordingly abandoned in favour of the Kangany or Sardari system, which was akin to the Maistry system of

**Method of labour-recruitment—  
Kangany system**

Burma. The Indian labour-force on an estate consisted of several gangs of varying size from 25 to 30 persons. Each such gang was placed under the supervision of a headman, himself a labourer, who went by the designation of Kangany. An estate labourer was selected a Kangany by virtue of his efficiency in field-work and aptitude for leadership. On a small estate there might be only one Kangany or a Sub-Kangany (also called Silara-Kangany) but a large estate employed several Kanganies under one or more Head Kanganies. Armed with a licence to recruit labourers, a Kangany used to form his gang by recruiting labourers from the families which were related to him, as also from such families as lived in the neighbouring villages. A Kangany thus happened to be the senior member of a family-group, composed not only of his own relatives but also of his acquaintances in the neighbouring villages. The Kangany system was thus built upon a patriarchal basis.<sup>20</sup> The recruitment of labourers from among the kinsmen and acquaintances of a Kangany constituted one of the secrets of success of the Kangany system, at least, at its early phase. Such a principle of recruitment not only prevented the break-up of the family-life of the

labourers but also ruled out the possibility of their desertion and ensured their attachment to the estates and planters. With the passage of years, however, the labourers came to be recruited by a Kangany not exclusively from his relatives and acquaintances but also from such persons of the labouring class as could be induced by him to emigrate either through his own endeavours or through the agency of a professional recruiter. The Kangany system thus lost its patriarchal character and consequently its efficacy, too.

In the early days of the coffee cultivation, the Indian labourers used to immigrate into Sri Lanka for work on estates on their own initiative under the leadership and guidance of the Kanganies, chosen by themselves. On their landing at Sri Lanka from the Indian coast, the labourers were sometimes intercepted by some crimps<sup>21</sup> who, under the name of Kangany, escorted them to the estates and thus earned a living for themselves. These crimps often seduced the labourers afterwards into leaving one estate in favour of another, much to the injury to the interests of both the employers and the employed. The next stage in the recruitment of labourers through Kanganies was reached when the planters, confronted by the Ceylonese Government's *Laissez-faire* policy with regard to labour-recruitment, decided to despatch their own Kanganies to the Indian coast for recruitment. Such Kanganies, unlike the Kanganies of the previous stage, became merely the planters' agents with no personal interest in the gangs. With the establishment of the Ceylon Labour Commission in 1904, the system of recruitment improved. Henceforth, recruitment began to be made through the Ceylon Labour Commission to which the Kangany became responsible. The Ceylon Labour Commission originated as a private organization under the control of the Coast Agency Committee of the Planters' Association, and its operations were directed by a Commissioner, himself a planter, from his Headquarters at Trichinopoly. The Commissioner had under him Assistant Commissioners and Agents who were in charge of Agencies scattered over the recruiting areas in South India.<sup>22</sup> Initially, the cost of maintenance of the Commission was borne partly by the Ceylonese Government. The Government contribution being withdrawn in course of time, the great majority of the estates (about 85 per cent)

agreed to pay for its upkeep a cess of 40 cents on every acre under the cultivation of tea, rubber and cocoanut.<sup>23</sup> The remaining 15 per cent of the estates which did not contribute towards the maintenance of the Commission employed professional recruiters who were practically subject to no control in India. The professional recruiters tended to recruit dhobies (washermen), barbers, unemployed weavers, town-loafers and criminals and were inclined to resort to malpractices in recruitment.<sup>24</sup> In 1915, 14,126 labourers (including Kanganyies) immigrated into Sri Lanka otherwise than through the Ceylon Labour Commission.<sup>25</sup> The Commission itself did not recruit. Its main functions were to finance the recruiters, to exercise supervision over them and to advertise the advantages of employment on estates by means of handbills and leaflets in the vernacular and by the display of magic-lantern shows.<sup>26</sup> The Commission was also responsible for recovering the money advanced to those Kanganyies and labourers who had left for India without clearing their debts.<sup>27</sup>

Before the establishment of the Ceylon Labour Commission, old employees had been in the habit of bringing with them their friends and relations from their own villages or the neighbouring ones for employment on estates while returning to Sri Lanka at the end of their holidays, short or long, spent in India. This practice practically fell into disuse after the Ceylon Labour Commission had been brought into being. Under the newly introduced regulations of recruitment, the Kangany of an estate, which subscribed to the maintenance of the Commission, was required initially to obtain licence by applying, on the prescribed form, to the Controller of Indian Immigrant Labour, Sri Lanka. Possessed of the licence, which was granted by the Controller after a very careful scrutiny in consultation with the Indian Government's Agent in Sri Lanka, the recruiting Kangany left for the Madras Presidency and, on his arrival there, presented the licence-form at one of the Agencies of the Ceylon Labour Commission for final endorsement by the Ceylon Labour Commissioner (also called Ceylon Emigration Commissioner). If found in proper order, the licence-form was duly endorsed by the Commissioner who thus not only authorized the Kangany to recruit but also advanced some money to him to

meet the expenses of recruitment. Thus equipped with the requisite licence and the advance-money, the Kangany proceeded to recruit at least 20 emigrants within one year. The names of the recruits would be written on the back of the licence-form, and all the intending emigrants would thereupon be presented before the village Munsiff. The Munsiff's duty it was to interrogate the intending emigrants to ascertain whether they had been recruited with their consent or not and whether they were made aware of the conditions attached to their emigration. If the Kangany safely crossed the hurdle of interrogation by the village Munsiff and obtained his initials on the licence, he proceeded to face another hurdle at the office of the nearest Agency of the Ceylon Labour Commission. Here the intending emigrants were not detained longer than was necessary for the Agent, generally an Indian, to scrutinize them so as to make sure that they were suitable for estate work and that there was no reason to suspect that the law against kidnapping or abduction had been infringed by their recruitment. Boys under 14 and girls under 16 were not allowed to proceed unless they were accompanied by their natural guardians or unless such guardians' written consent, certified by the village Munsiff, was produced. The recruits, who were finally approved by the Officer in charge of the Agency, were despatched by rail the same day to Mandapam or to Tataparai directly, if the Agency were south of Trichinopoly, or via the cooly camp at Trichinopoly, if the agency were situated to the north of Trichinopoly. On arrival at Mandapam or at Tataparai camp, as the case might have been, the recruits entered the quarantine camp where they were detained for six days during which period the intending emigrants were subjected to a medical examination by Medical officers attached to the camp. Those detected to be suffering from any infectious or contagious disease were not allowed to embark for Talaimannar. Any emigrant, who refused to proceed or whose relatives met him to persuade him to return, was allowed to leave the quarantine camp at once. In 1915, 712 labourers returned from the Mandapam camp in this way.<sup>28</sup> After the Tuticorin-Colombo route had been earmarked for the non-estate (that is, non-assisted) emigrants only, the estate labourers were despatched from the recruiting centres to

Mandapam, not to Tataparai, for their journey to Sri Lanka along the Paumben-Dhanuskodi-Tallaimannar route. Normally, the Kangany accompanied his finally selected recruits to the estates in Sri Lanka. Sometimes, he stayed back in his village for further recruitment if the quota of the labourers he was licensed to secure had not been full. In such a case, he accompanied the recruits, so far secured, to the quarantine camp at Mandapam or at Tataparai and returned to his village therefrom after arranging for their embarkation and journey, under the care of the escort-peons of the quarantine department, with assisted passage and with necessary food during the voyage. It was the duty of the escort-peons to look after the labourers during the journey and to help them to reach the estate for which they were bound. On their arrival at the estate, the labourers became the charge of the estate-superintendent who had already been informed by telegram of their departure from the quarantine camp in India.

After the labourers had arrived at the estate, a statement of the expenses incurred in connection with their recruitment in India and their escort to their destination in Sri Lanka was entered into the Account book of the estate. Out of the money advanced to the Kangany by the Ceylon Labour Commissioner at Trichinopoly, a large portion was advanced to the labourers by way of inducing them to immigrate into Sri Lanka. This advance to the labourers together with additional sums paid to them, the expenses incurred on their behalf by the Kangany, the cost of transit (railway and steamer fares at concessional rates) and half the cost of food, supplied to them at the quarantine camp and during the subsequent journey, were all debited against them by their employer. Thus the labourers started their estate-life with an incubus of debt.

With the recruitment of labourers was associated a system, called Tin-Ticket system. The labourers had many financial obligations to meet before leaving for estates. And

Tin-Ticket  
system

yet the advance-money they got from the Kanganyies could not cover all their needs.

To increase the 'coast advance' meant putting more money into the Kangany's pocket, without the certainty of an increased return in the recruitment of

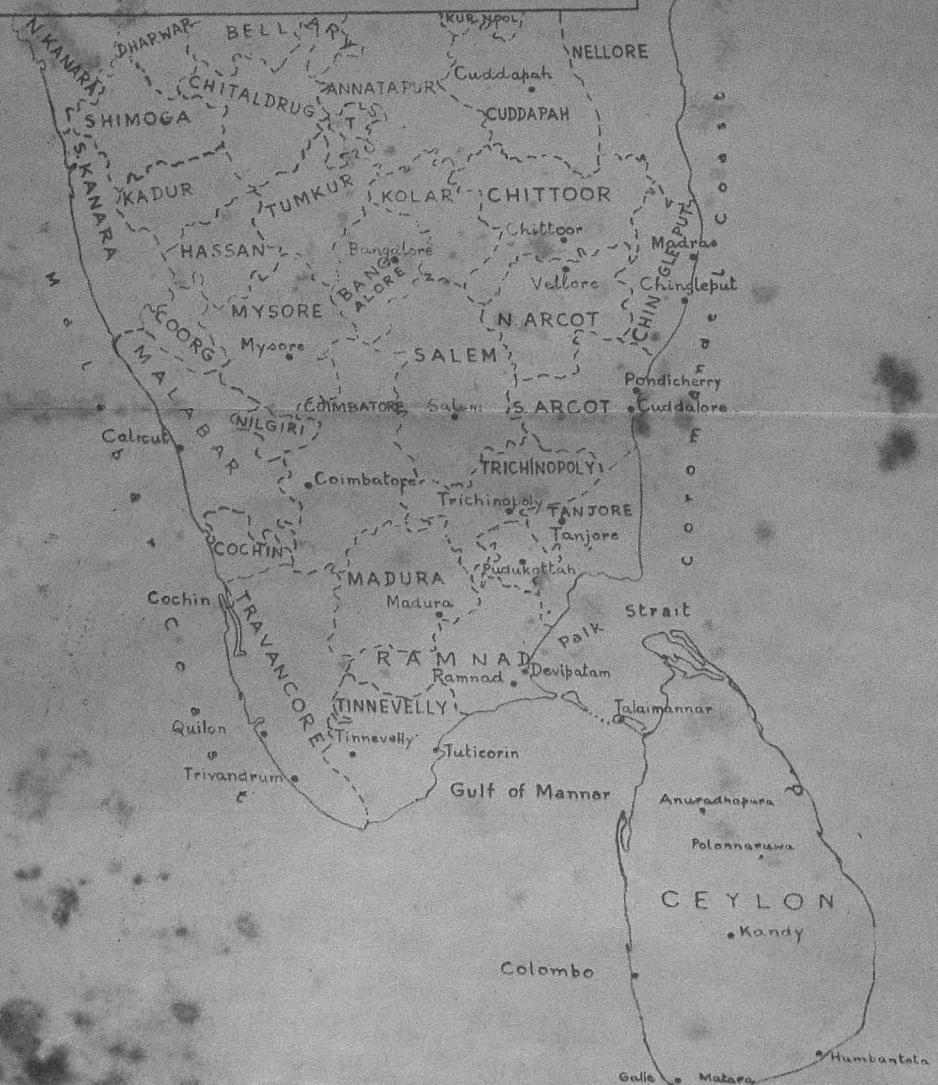
labourers. Again, the prolonged detention of a large number of labourers at the Mandapam camp for want of their requisite funds to meet the cost of their journey might cause over-crowding at the camp, with the attendant danger of the outbreak of an epidemic there. To Mr. Ellis, Agent to the Government of Sri Lanka at the Western Province and a member of the Plague Committee, was due the credit for the solution of the financial difficulty which confronted the labourers. The solution was the introduction of the Tin-Ticket System in 1902, by which the Ceylonese Government undertook the responsibility of conveying the labourers, free of charge, from the Indian coast to the estates in Sri Lanka they were bound for, subsequently recovering the expenses from the superintendents of the estates concerned. [Sir West Ridgeway explains the system thus: "The system is practically an adaptation of the system of 'value payable by post', the cooly being the package to be delivered and his address being contained on a small metal disc punched with a letter and a number, denoting the district and estate for which he is bound."<sup>29</sup>] According to Marjoribanks and Marakkayar, the metal disc was punched with two numbers, the first number denoting the number of the estate as recorded in the official register of the estate and the second number indicating the serial number of the particular labourer for whom the Ticket was meant.<sup>30</sup> The Tickets could be purchased at any Government Kachcheri in Sri Lanka by an estate superintendent for Rs. 2.50 cent per hundred. The estate superintendent gave the Tickets to his Kangany on the eve of his departure for India for recruitment or sent them direct to the Ceylon Labour Commissioner for distribution among the labour-recruits. The recruiting-Kangany or the Labour Commissioner, as the case might be, gave one such Ticket to each labourer proceeding to a particular estate. On their arrival at the quarantine camp at Mandapam or at Tataparai, the labourers concerned presented their Tickets to the Camp Superintendent, whereupon their names were entered in a register, with the result that the labourers and their Kangany became entitled to free food at the camp and to the facilities for their journey from the camp to the estate. All the charges for the journey were initially borne by the Ceylonese Government which subsequently recovered the charges (railway and steamer fares at con-

cessional rates and half the cost of food—the other half being borne by it) from the estate superintendent who, in his turn, later on realised the same from the labourers themselves. The system, therefore, led to the labourers' indebtedness to the estates. It had, however, the advantages of enabling the labourers to reach the estates safely and with the minimum delay, without having to spend a cent initially out of their meagre funds, and of keeping down 'coast advance' much to the chagrin of the Kangany who was in the habit of unduly appropriating to himself part of the money advanced to him. The Kangany, therefore, could not but look upon the system with suspicion.

The Advance system or the system of offering cash-inducements was a convenient strategy resorted to by the planters to secure the much-needed cheap South Indian labour through the Kangany system. Initially, the system was viewed by the planters as a 'wonderful success.' Bribed by some advance-payment and lured by the prospects of a change of fortune, the Tamil labourers followed their Kanganies to the estates, solving the labour-problem of the planters. The Kanganies, in other words, like the pied piper of Hamelin, led the labourers to the plantations by dangling before them the offer of advance-payment. According to Donald Graham, Agent to the Government of Sri Lanka, the labourers required no advance to enable them to reach the Indian coast from their village homes but advances were necessary to them to pay for their passage from the coast to the estates, to leave two or three rupees for their dependent relations in their native villages and also to pay some money to the village headmen by way of purchasing their release from any labour-contract they could have entered into with them previously.<sup>31</sup> Once the labourers got the taste of advances, they showed their increasing avidity for the same. The demand for higher advances coincided with the extension of tea plantation which intensified competition among the planters for more and more Indian labour. Gradually, the standard of the labourers employed declined, though the advances went up. W. A. S. Sparling, a planter of 27 years' standing, wrote in 1913: "In any labour-force of Ceylon plantation today there is a proportion of what is known as 'shuck coolies' whose work is, of course, very light and could

# MAP OF SOUTH INDIA SHOWING AREAS OF LABOUR-RECRUITMENT

Scale  
0 Km 64 32 0 64 128 Km.



easily be done by half the number of really good ones. The **raison d'etre** of their presence lies in the fact that they are encumbrances in their own country and can be counted as coolies in Ceylon whenever an overseer or Kangany is seeking to improve his position by further borrowing.”<sup>32</sup>

As the Kangany system lost its patriarchal character and as the recruitment was undertaken haphazardly, without reference to the locality or relationship, the supply of labour came to be conditioned by the requirement of higher advances. In his letter to the Editor, **Ceylon Overland Observer** of 28 January 1871, Tytler, Secretary to the Planters' Association, Kandy, wrote that at first a recruit could be obtained for an advance of 2 rupees only or for even less than that amount but, as years rolled on, the amount of advance was gradually increased to Rupees 10 per head in 1871. By 1878, the advance was further increased to Rupees 19.36 cents per head, as disclosed by a merchant of Colombo in the course of his evidence before the Commissioners, appointed to enquire into the subject of cooly immigration.<sup>33</sup> In the long run, however, the Advance system went to enrich the Kanganies only and to add to the miseries of the labourers by increasing the already existing volume of their debt—debt to the estates and to the Kanganies alike. Bearing on this point Sparling wrote<sup>34</sup>: 'The late Labour Agent of the Ceylon Planters' Association at Trichinopoly, Mr. Rowsell, and I are quite agreed that what made Ceylon such an unpopular place with coolies was the Advance system with all its attendant evils. The coolies' view is that going to Ceylon means piling up debts with heavy stoppage of pay. From the Kangany's or recruiter's point of view, every cooly represents a person in the game of extracting money from employer. The Kangany exists today for the purpose of extracting money from his employer under a threat of leaving his service and keeping the supply of coolies short in order to strengthen his hand in doing so, whilst all the time he is being paid excellent wages for recruiting from India the coolies required by the plantation he serves. The rate of interest charged is always high. The debt passes from father to son according to the custom of the coolies.'

The Advance system, therefore, saddled the ignorant and credulous Tamil labourers with an incubus of debt from

the beginning of their estate-life. The scheming and unscrupulous Kanganies successfully induced them to assume the responsibility for the whole or the greater part of the Advance-money, though they had actually received a fraction thereof. Thus the labourers' debt was unduly inflated. It

Tundu system

was inflated further by the Kangany's frequent resort to the system of transfer by Tundu. In its origin, Tundu was an

undertaking given in writing by the owner of an estate to discharge a fixed number of labourers on getting the repayment of the outstanding Advance-money or arrear debt from them and was designed to enable an estate to get rid of its surplus labour. As such the system was quite harmless. But, in course of time, it became an instrument of industrial blackmail at the hands of the Kangany when the extension of areas under plantation led to an increased demand and competition for labour. The Kangany and the labourers of his gang took advantage of the shortage of labour to demand extravagant advances from the superintendent of an estate. If the demand was not conceded, the Kangany promptly claimed a Tundu for himself and his gang and proceeded to hawk the same around the estates until he found a superintendent who was willing to engage him and his men by agreeing to pay the amount written on the Tundu plus Sillary or extra money. If, for instance, the gang in question had a strength of 20 and the outstanding debt was Rupees 30 per head, the total outstanding debt would amount to Rupees 600. The Kangany would, in the first instance, press his old employer to agree to pay an extra advance of Rupees 10 per labourer. If the old employer did not yield to the pressure brought to bear upon him, the Kangany would finally transfer his gang to the new employer on his agreeing to pay an advance, say, amounting to Rupees 750. The Kangany would then pay Rupees 600 out of this amount to his old employer who would, thereupon, discharge the Kangany and his gang of 20 labourers from employment on his estate. The balance of Rupees 150 would be taken by the Kangany ostensibly for distribution among his labourers. Whether this extra advance was actually distributed among them or not, their debt in the Account book of the new estate would now average Rupees 37.50 cents ( $750 \div 20$ ) in

place of Rs. 30 (600÷20). The extra advance generally found its way into the Kangany's pocket. The Tundu thus developed into an instrument for extorting higher advance from an estate superintendent, much to the prejudice to the interests of the labourers. Though they got no share of the extra advance, their debt under the new employer was, however, proportionately increased. They lost their wages for some days and were compelled to vacate their old lines, situated perhaps on a healthy estate, and to move in new ones, the location of which might not be so healthy. Their wages on the new estate could also be no better. The labourers could, no doubt, repudiate their indebtedness to the Kangany and lawfully quit the estate after giving one month's notice, without being liable to arrest.<sup>53</sup> But the shackles of environment and custom and the difficulty of finding work under another employer without producing satisfactory evidence of discharge from the former employer effectively paralysed their freedom of movement. The Tundu system was finally abolished by Ordinance 43 (section 5) of 1921, which prescribed punishment by fine or imprisonment, if the system was revived in future.<sup>54</sup> To counteract the labourers' bolting tendency from one estate to another the above Ordinance provided for the issue of discharge certificates by employers. The provision required that an estate would not employ a labourer from another estate unless he brought a discharge certificate from his previous employer. The labourer was to give one month's notice to his present employer for his discharge certificate, the forms of which were available at Post Offices. If the labourer was prevented by his Kangany from submitting the form personally to his present employer, he could send it to him by post, taking care, at the same time, to send a duplicate form to the Controller of Indian Immigrant Labour. This arrangement, which was introduced with the best of intentions not only to check the roving tendency of the labourers but also to protect them from the tyranny of their Kanganies, ultimately turned out to be a convenient instrument of oppression at the hands of the Kanganies themselves. This was so because the labourers, who obtained their discharge certificates, were compelled to borrow from their next employer to pay off their former Kangany as also to clear their debt to the boutique-keeper, which had the

effect of converting their discharge certificates into a new kind of Tundu. Thus the labourers had to start their life on the new estate, again, in debt and thus did the vicious Ixion's wheel turn, grinding the labourers in the process.

Indeed, indebtedness was part and parcel of the labourers' estate-life in Sri Lanka. It was the system of making

**Indebtedness of  
labourers**

advances to them which led to their involvement in indebtedness which, in course of time, became chronic. They es-

caped from the life of serfdom in South India by immigrating into Sri Lanka where, however, they soon came under a new form of serfdom arising out of their indebtedness to the planters and Kanganyes. A labourer arrived at an estate, saddled with debt to the extent of Rupees 35 to 50 including the advance-money and the expenses on account of his journey to Sri Lanka.<sup>37</sup> This initial debt gradually increased in volume due mainly to the labourer's illiteracy and unthrifty habits, as borne out by T. L. R. Chandran, Agent to the Government of India in Sri Lanka, in the course of his evidence before the Ceylon Banking Commission in 1934.<sup>38</sup> Very often he spent lavishly on such occasions as marriage, festivals and funerals. As stated by Chandran, 'not that such lavish expenditure was necessary or justifiable on such occasions but he wished to avoid the ridicule of his neighbours that he was parsimonious.'<sup>39</sup> The Head Kangany of an estate fed the labourer's inclination to borrow by lending him money, which had the indirect effect of keeping his hold on him. The irregular payment of wages also forced the labourer to resort to loan to defray his family expenses. Finding no other means by which he could procure money on easy terms during illness or festive occasions, the labourer had perforce to approach the Kangany or the pawnbroker to borrow money from him 'on usurious rates of interest'.<sup>40</sup> The total debt that was entered into the Account book of the estate was much more than it actually ought to have been. Apart from his debt to the estate, which was roughly 100 rupees on an average, the labourer had his private debt ranging from 5 to 15 rupees each. His debt increased further as he borrowed money for remitting to his relatives in India. According to the evidence of K. P. S. Menon, Agent to the Government of India in Sri Lanka, before the Royal Commi-

ssion on Labour in India in 1930 under the chairmanship of the Rt. Hon. J. H. Whitley, 'indebtedness of a labourer does not prove that the minimum wage is not sufficient. The labourers become indebted for other reasons; for example, when they go to India, they want to buy land and they borrow Rs. 200 or Rs. 300 for that purpose.'<sup>41</sup> Indebtedness among the estate labourers was thus widespread, about 75 per cent of them,<sup>42</sup> according to Chandran, being indebted to the Kanganyies. Ordinance No. 43 of 1921 abolished Tundu and also cancelled the old debts which accumulated under the Tundu system. But this abolition and cancellation could not change the nature of the labourer who still retained the habit of resorting to loan to supplement his monthly income, when ill-health or intemperate habits prevented him from performing the requisite amount of field-work. One main reason why the labourer's indebtedness persisted was that the Kanganiship as the agency of recruitment was not abolished. But the eventual arrangement that the entire cost on account of his recruitment, inclusive of his transport and subsistence charges from the time of his departure from the Indian coast till the date of his arrival at the estate of destination, should be met from the Immigration Fund, and the organization of Co-operative Credit Societies and Post Office Savings Bank constituted effective remedies against his indebtedness.

It may sound paradoxical that a labourer, who arrived at an estate saddled with debt, lived his estate-life in debt and ultimately died in debt, could lay by some savings for

*Remittances to India* remittance to his relatives in India or for carrying in person during his temporary visit to the country. The labourer used

to borrow from the Kangany, planter, boutique-keeper and also from the local money-lender. As stated by T. Read, Controller of Indian Immigrant Labour, many of the labourers did not save, for their custom had always been to borrow and to live in debt.<sup>43</sup> But others held that labourers lived comfortably in Sri Lanka and could save a considerable proportion of their earnings and that many of them returned 'home' every year with their savings 'in bright rupees'. The Kanganyies and the more hard-working among the labourers were believed to have acquired 'considerable wealth, invested

in landed property.' W. M. Martin Leake is reported to have stated in Ceylon Legislative Council years ago that 'an able-bodied Tamil coolie could save 4, 5 or even 7 rupees per month, 84 rupees per annum, from his wages in Ceylon.'<sup>44</sup> According to the estimate of R. Jones-Bateman, Assistant Director of Statistics, Colombo, in 1923, a labourer after making provision for festivals and minor luxuries 'can and do' save about Rs. 7 a year, if money invested in jewellery was regarded as a saving.<sup>45</sup> It is, however, much to be doubted, in view of the labourers' extravagant mode of living, whether any such saving was possible out of their regular earnings, unaided by receipts from extraneous sources. According to the evidence of Chandran before the Ceylon Banking Commission in 1934, only a small proportion of the labourers could save anything. Thrift was practically unknown to most of them.<sup>46</sup> In his Administration Report for 1932, the Controller of Indian Immigrant Labour, N. J. Luddington, wrote in the same vein: 'It is impossible to state what savings are made by estate labourers. They remit money to India through their employers and the Planters' Agency in India but it is impossible to say what part of this money is savings.' Some female labourers invested a portion of their savings in gold and silver ornaments but it is equally difficult to aver that they could make their ornaments with the money they earned by way of wages only. To all intents and purposes, the labourers resorted to borrowing as a means by which they could, after meeting their deficit domestic budget, have some surplus money at their disposal for purposes of remittances and ornaments, too. This was supported also by Chandran: 'If the labourers did send any money to India, they borrowed it from Kanganes to whom about 75 per cent of them were indebted.' The average annual remittance per head was normally very small, Rs. 2.03, for instance, in 1934<sup>47</sup> and about Rs. 2 in 1941.<sup>48</sup> The volume of annual remittances of the Indian estate-labour population as a whole would be evident from the following Table which is, however, only illustrative but not exhaustive:<sup>49</sup>

Year	Amount of Remittance through Post Offices in Sri Lanka
	Rupees
1922	25,00,000
1924	26,18,314
1925	27,93,094
1926	30,94,464
1927	33,47,039
1928	34,32,392
1929	33,85,088
1930	17,86,185
1931	11,81,780
1932	10,00,818
1933	10,34,393
1934	11,32,507
	{ 2,68,170 Through the agency of Ceylon Labour Commission
1935	15,90,422
1936	12,71,720
1937	13,15,662
1938	13,73,940
1939	13,13,091
	{ 1,51,700 Through other channels than Post Office
1940	15,50,487
	{ 2,07,200 Through other channels than Post Office
1941	13,38,741
	{ 2,51,200 Through other channels than Post Office
1942	24,89,700
1943	37,96,448

Year	Amount of Remittance through Post Offices in Sri Lanka
1944	Rupees 52,05,674
1945	51,55,818
1946	61,52,030
1947	44,57,178 Through Post Office and other channels
1948	34,38,468 Including Rs. 12,24,951 sent through Ceylon Labour Commissioner
1956	46,58,097 Representing 45 per cent of Rs. 1,03,51,327 being the total remittance, sent to India by M. O. in the year.
1957	37,77,724 Representing 52 per cent of Rs. 72,64,854 being the total remittance sent to India in the year.
1958	77,507
Between 1. 1. 1961 and 30. 9. 1961	36,260
Between 1. 10. 1961 and 30. 9. 1962	33,309
Between 1. 10. 1962 and 30. 9. 1963	60,080
Between 1. 10. 1964 and 30. 9. 1965	19,216

The prospects of getting wages higher than those prevailing in the Madras Presidency attracted the Tamil labourers

**Wages and  
Family Budget**

to estate-work in Sri Lanka. Wages in Sri Lanka rose from 4d. a day at the commencement of immigration to 7d.-9d.

a day in the 1860's,<sup>50</sup> whereas wages in the Madras Presidency amounted to 3d. a day even in 1858 or the 1860's.<sup>51</sup> Sir H. G. R. Robinson, Governor of Sri Lanka in 1867, confirmed, in his despatch of 6 March 1867 to the Secretary of State for Colonies, the rate of wages varying from 7d. to 9d. a day, which an adult male could earn in Sri Lanka in 1866-1867. Robinson also stated in the same despatch the rate of wages to which female and child labourers were then entitled, namely 4½d. to 7d. a day, the working period per week running to 5 days.<sup>52</sup> According to the Majoribanks-Marakkayar Report of 1917, on an average, males worked from 23 to 19 days, females, from 19 to 15 days and children, from 21 to 17 days, a month, and a male labourer's average wages varied from Rs. 10.18 to Rs. 8.40, a female labourer's, from Rs. 6.24 to Rs. 4.34 and a child's from Rs. 5.69 to 3.96, a month.<sup>53</sup> Examined by the Standing Emigration Committee, which met under the chairmanship of Rao Bahadur B. N. Sarma at Simla on June 19-21, 1922, Major Scoble Nicholson furnished the following statistics of the wages, initially paid to inexperienced labourers on their being first employed in estate-work:<sup>54</sup>

	Tea				Rubber			
	Cents	Rs.	a.	p.	Cents	Rs.	a.	p.
Men	38	0	6	0	36	0	5	9
Women	26	0	4	2	25	0	4	0
Children	19	0	3	0	18	0	2	11

In April-May 1923, the Colonial Secretary, Colombo, appointed a Committee under the chairmanship of Sri Lanka's Assistant Director of Statistics, R. Jones-Bateman,<sup>55</sup> to enquire into, and report on, the relation between labourers' wages and their cost of living. In the Report submitted by him on 3 August of the year, Jones-Bateman stated that usually the labourers were paid at a fixed rate per day, the rates being different for male, female and child workers. They were at per-

fect liberty to work or not as they liked on any day of the month, at the risk of losing the wages for the day they would remain idle. A bonus was usually given to any labourer who worked for more than a certain number of days in a month. Though there was little uniformity on different estates in the system of the payment of bonus, generally the bonus per head amounted to Re. 1 or Rs. 1.50. A labourer working 24 days in a month earned a larger bonus than the one who worked 21 days. A labourer could further supplement his normal wages by working overtime or by undertaking contract work such as weeding or draining a given area for a fixed sum paid by the owner of the estate. Bateman next stated a labourer's gross and net earnings and also the items of domestic expenditure met out of his net wages. If a labourer's gross wages amounted to 15 rupees a month, he would receive in cash a sum of Rs. 8.65 only after a deduction of Rs. 6.35 (Rs. 6 for a bushel of rice supplied to him at a concessional rate, 10 Cents payable to the barber and 25 Cents payable on account of washing charge) from his gross wages. With Rs. 8.65, received in cash as his net wages, a labourer was to defray his monthly expenses which would amount to Rs. 4.88, as detailed below :

	Rs.	Cents
Food :		
Salt, $1\frac{1}{4}$ measure	22	
Maldivine fish, $\frac{1}{2}$ lb.	40	
Nettali (dry fish), 1lb.	36	
Dhall, 1 measure	28	
Green pees, 1 measure	28	
Dry chillies, $\frac{3}{4}$ lb.	30	
Tamarind, $1\frac{1}{4}$ lb.	16	
Red onion, 1 lb.	12	
Coriander, $\frac{1}{4}$ measure	6	
Mustard, pepper, etc.	10	
Betel, etc.	50	
Clothing	1.	12
Cooking utensils		17
Kerosene, Cocoanut oil and Matches		81

Rs. 4. 88

After spending on the above items, a labourer would have with him a balance amounting to Rs. 3.77 which, of course, he could not think of saving because of many an unforeseen item of expenditure pressing on this paltry balance. Moreover, provision was to be made for festivals which occurred once or twice a year. Some labourers, especially those living near towns, got into the habit of taking tea with a little sugar. So, on the whole, a labourer would have a deficit budget. He enjoyed some fringe benefits which, if charged for, would have increased his deficit all the more. He was, for instance, provided with free housing on estates and given free medical treatment, was supplied with rice at a concessional rate and provided with free pasture and a plot of cultivable land on which he grew manioc, beans, chillies and other vegetables, and flowers as well. Firewood was supplied free. Again, the gift of cash money to a labourer on occasions of birth, marriage and festival was, according to Bateman, 'quite considerable'. When too old to work, he was granted a small pension of one or two rupees per month. Deficit was met by him by borrowing.

After the preliminary enquiry into the budget of the estate labourers by Jones-Bateman, the Ceylonese Government appointed a representative Committee in 1925 to make further enquiry into the family budget of the labour-force. The then Director of Statistics, L. J. B. Turner, who was on the Committee, drew up three budgets, called Roneo budgets, after discussion with the then Agent to the Government of India in Sri Lanka, S. Ranganathan. For the purpose of these three budgets, the estate areas were divided into three such zones as Up-country, Mid-country and Low-country.<sup>56</sup>

The estate labourers' monthly expenditures, as estimated by the Roneo budgets, were as follows<sup>57</sup>:

	Up-country		Mid-country		Low-country	
	Rs.	Cents	Rs.	Cents	Rs.	Cents
Male labourer	10	74	10	11	9	69
Female labourer	9	67	9	42	8	88
Working child	6	84	6	59	6	82
Non-working child	3	09	2	94	3	00

The above budgets also showed that the average monthly income of a labourer, as in 1925, had been 25 per cent more than Rs. 10.02 which was the monthly income of a labourer in 1923.<sup>58</sup> Obviously, therefore, the Roneo budgets disclosed that the income of a labourer in 1925 was not less than his expenditure.

The Indian Agent, S. Ranganathan, also drew up in 1925 three sample budgets, called Ranganathan budgets, which differed slightly from the Roneo budgets. The Indian Agent's budgets came to be adopted by the Government of Sri Lanka, for utilization as a basis for the consideration of the question of minimum wages of estate labourers.<sup>59</sup> The Ranganathan budgets reflected the following monthly expenditures of the labourers in each of the three zones<sup>60</sup>:

	Up-country		Mid-country		Low-country	
	Rs.	Cents	Rs.	Cents	Rs.	Cents
Adult male labourer	11	20	10	59	10	14
Adult female labourer	10	20	9	96	9	43
Working child between 10 and 14 years	6	70	6	51	6	38
Non-working child	2	75	2	68	2	67

At this stage, T. Reid took over as the Controller of Indian Immigrant Labour. Some time after his assumption of office in 1925, it came to his notice that taking advantage of the liberal supply of Indian labour some estates had been underpaying their labourers. This fact induced Reid to favour the principle of standard wages for the Indian labourers, employed on estates. It was the Wait Committee of 1925,<sup>61</sup> composed of the Controller of Indian Immigrant Labour, the Director of Statistics, the Agent to the Government of India and the representatives of the members of the Planting community, which formally recommended the adoption of standard wages in its Report. The Wait Committee suggested that the wages of men, women and children should be calculated on the basis of 5 : 4 : 3 and that in all the three zones—Up, Middle and Low—men and women should work 24 days a month and children (above 10), 20 days a month. It was further suggested by the Wait Committee that the standard

wages must be paid independently of any bonus or the cost of any 'free issues' and that the rates should, at a given period, bear due relation to the standard of comfort of the labourer and should change, if changing conditions called for a change. After much deliberation, the following rates of wages were proposed<sup>62</sup> :

	Men	Women	Children
	Cents	Cents	Cents
Up-country	54	43	32
Mid-country	52	41	31
Low-country	50	40	30

The recommendation of standard wages by the Wait Committee and the Government of India's insistence on the adoption of the same ultimately led to the introduction by the Ceylonese Government of the Minimum Wages Ordinance No. 27 of 1927.<sup>63</sup> This was the first piece of legislation enacted in Sri Lanka, prescribing minimum wage-rates for Indian immigrant labour. The Ordinance constituted Estates Wages Boards in revenue districts to fix the minimum wages of labourers from time to time, subject to confirmation by the Board of Indian Immigrant Labour and by the Governor of Sri Lanka. For the purpose of fixing minimum wages, the plantations were divided, as before in connection with the Roneo budgets, into three zones—Up, Mid and Low.. Towards the end of 1928, the minimum wage-rates were fixed as follows :

	Men	Women	Children
	Cents	Cents	Cents
Up-country	54	43	32
Mid-country	52	41	31
Low-country	50	40	30

Besides fixing the above minimum wage-rates, the Ordinance assured the plantation workers of six days' work in a week or payment in cash on the basis of minimum wage-rates, if work for the stipulated period could not be offered to them. The labourers were also to be supplied with clean, unblended

rice at a price not exceeding Rs. 6.40 per bushel. The issue of rice per month should not be less than 7/8th bushel for a male labourer, 6/8th bushel for a female labourer and 5/8th bushel for a working child. Further, on all estates a free supply of the same quality of rice should be made per month at the rate of 1/8th bushel to each male labourer and to each working widow who had one or more non-working children to maintain. In lieu of such free issue of rice, an estate could, however, with the previous consent of the Labour Controller, provide one good and unstinted meal of rice and curry daily to each Indian child under 10, resident on the estate and related to an Indian labourer employed on the estate. The Ordinance also provided for overtime rates in favour of those labourers who would work beyond the normally prescribed limit of 9 hours inclusive of 1 hour meant for lunch. In such a case, the employers provided higher incentive rates for poundages of tea plucked during the extra hours. The rate prescribed for overtime work between 7 A.M. and 7 P.M. was  $1\frac{1}{4}$  times the hourly rate and the rate for overtime work between 7 P.M. and 7 A.M. was  $1\frac{1}{2}$  times the hourly rate.

The Minimum Wages Ordinance of 1927 came into effect on 1 January 1929. The next year witnessed an almost unprecedented depression in rubber industry. The price of rubber began to sag with startling rapidity from 28 Cents per pound in the beginning of July 1930 to 14 Cents towards the end of October and further to 11 Cents in April 1931, with the result that the number of the tappers and sillara workers,<sup>64</sup> particularly that of the latter, had to be cut down to the irreducible minimum. The depression of 1930 did not remain confined to the rubber industry alone. It soon spread to tea also, especially to the Mid-country and Low-country tea, which seemed to go the way of rubber. The average price of Low-country tea in Colombo fell from 60 Cents per pound in 1930 to 43 Cents in 1931. The average cost of Mid-country tea also fell from 69 Cents per pound in 1930 to 50 Cents in 1931. Up-country tea generally maintained its status quo. If the slump in the rubber industry, as also in the Low-country and Mid-country tea industry, necessitated a reduction of minimum wages, the fall in the labourers' cost of living seemed to justify it. Throughout

1931, rice, of which the issue price had been fixed by the Ordinance of 1927 at Rs. 6.40 per bushel, was available for purchase at a much cheaper rate in the open market. Labourers, therefore, showed a natural tendency to buy rice, their favourite dish, from the boutiques rather than from the estate. The planters, therefore, thought it necessary to adjust the wages to the reduced cost of rice. It was, accordingly, proposed that the wages of male, female and child labourers should be reduced by 5, 4 and 3 Cents respectively, if rice was issued by the estate at Rs. 4.80 instead of at Rs. 6.40 per bushel. The proposal to reduce wages in conformity with the reduced price of rice was, therefore, adopted in May 1931, with the concurrence of the Government of India.<sup>65</sup> In May 1931, therefore, the rates of wages agreed upon were as follows, with rice being available for purchase at Rs. 4.80 per bushel:<sup>66</sup>

	Men	Women	Children
	Cents	Cents	Cents
Up-country	49	39	29
Mid-country	47	37	28
Low-country	45	36	27

The above rates, however, represented not so much a reduction as a readjustment of wages in consequence of the reduced price of rice. The cash balance of a labourer at the end of a month remained unchanged. The first real reduction in wages occurred with effect from 1 February 1932, when the following rates were introduced:<sup>67</sup>

	Men	Women	Children
	Cents	Cents	Cents
Up-country	49	39	29
Mid-country	43	35	25
Low-country	41	33	24

The above rates were further reduced as follows, with effect from 10 May 1933,<sup>68</sup> in consequence of 'the catastrophic fall' in the prices of all grades of tea, rice selling at Rs. 4 per bushel:

	Men	Women	Children
	Cents	Cents	Cents
Up-country	41	33	25
Mid-country	37	30	21
Low-country	35	28	20

The Government of India agreed to the reduced wage-rates as above, on condition that the reduction 'should be treated as strictly temporary and emergent' and that 'the revision of wages on an upward grade should be considered as soon as the industry revived.'<sup>69</sup> With the revival of the tea and rubber industries from July 1933, the planting community requiring additional labour raised the wages to the following rates, with rice selling at Rs. 4 per bushel, with effect from 1 November, 1933<sup>70</sup> :

	Men	Women	Children
	Cents	Cents	Cents
Up-country	46	37	27
Mid-country	40	33	23
Low-country	38	31	22

From July 1934, the Estates Wages Boards restored the wages, which prevailed prior to 10 May 1933, that is, the wages which were introduced with effect from 1 February 1932, as stated above. The wage-rates as on 1 February 1932 continued till 11 June 1939. From 12 June 1939, the following revised rates came to be introduced by the Ceylonese Government, as desired by the Government of India.<sup>71</sup>

	Men	Women	Children
	Cents	Cents	Cents
Up-country	49	39	29
Mid-country	47	37	28
Low-country	45	36	27

As the outbreak of the Second World War in September 1939 led to a rise in the price-level of the commodities of consumption and to a corresponding increase in the labourers' cost of living, a demand arose from them for an adjust-

ment of their wages to the increased cost of living. In response to the labourers' demand for higher wages in the inflationary climate created by the war, the Planters' Association without deciding on an increase of wages declared a war-bonus in favour of the labourers at the following rates<sup>72</sup> :

Male	Re. 1.00 per mensem
Female	Re. 0.75 per mensem
Child	Re. 0.50 per mensem

The war-bonus, thus declared, was not, however, legally enforceable. Its payment was entirely at the discretion of the superintendent of estates. Again, the system of payment of the war-bonus was not uniform but varied from estate to estate. On many estates, the question of the payment of full bonus or no bonus was determined by whether or not the labourers worked for the minimum number of days fixed. Other estates worked out the bonus at the daily rates of 4 Cents for a male labourer, 3 Cents for a female labourer and 2 Cents for a child labourer, subject to the maximum of Re. 1.00. 75 Cents and 50 Cents per month, admissible to a male labourer, a female labourer and a child labourer respectively. Finally, the District Wages Boards decided on the following uniform rates of wages, with the issue price of rice not exceeding Rs. 4.80 per bushel, which came into effect from 1 February 1941 with the sanction of the Government of Sri Lanka<sup>73</sup> :

	Men Cents	Women Cents	Children Cents
Up-country	54	43	32
Mid-country	52	41	31
Low-country	50	40	30

The months of April and May, 1940 witnessed an enquiry made by the Deputy Controller of Labour, M. Rajanayagam, into the family budget of the estate labourers of 516 families employed on the Up-country, Mid-country and Low-country estates. His Report containing the findings of his enquiry was published on 8 October 1941. It was essentially a statement of facts relating to the financial position of the estate labourers of the 516 families at the time of the enquiry rather than an ideal family budget of the estate labourers. As stated in the Report, the total number of

days each labourer then worked per month and the average working-period of a labourer each month were as follows:<sup>74</sup>

	Up-country	Mid-country	Low-country
	Days	Days	Days
Male	25.25	24.39	22.71
Female	19.84	20.06	18.98
Child	23.27	22.18	20.65
Average	22.79	22.21	20.78

A family's normal earnings during the period of enquiry, according to the Report, amounted to Rs. 31.79, Rs.35.36 and Rs. 25.28 per month in the Up-country, Mid-country and Low-country zones respectively.<sup>75</sup> Besides its normal earnings, a family had income from other sources as well. Taking into consideration a family's normal earnings as also its income from other sources, the average monthly income per family, as worked out in the Report, was as follows<sup>76</sup>:

	Up-country		Mid-country		Low-country	
	Rs.	Cents	Rs.	Cents	Rs.	Cents
(A) Normal earnings	31	79	35	36	25	28
(B) Other earned incomes						
War-Bonus	0	73	0	50	0	89
Weeding contract	0	53	0	60	0	14
Pence or Head Money	0	18	0	25	0	07
Cash plucking	0	04	0	17	0	20
Overtime	0	15	0	14	0	26
Extra over pounds paid	0	27	0	02	—	
Income on rice	0	63	0	42	0	34
Free rice or						
Free meals	1	49	1	41	1	14
(C) Free benefits						
Sick rice	0	08	0	14	0	19
Pensions	0	03	0	12	—	
Medical	0	08	0	19	0	28
Free milk	0	06	0	06	0	06
Maternity	0	08	0	08	0	11
(D) Food-stuffs grown	0	82	0	65	0	40
(E) Other sources						
Kaddai dividend	0	09	0	08	0	02
Children's pay	0	01	—	—	—	
Total	Rs.	37	06	Rs. 40	19	Rs. 29
						38

An average family, as indicated in the Report, was composed of 3.36, 3.84 and 3.24 adult males in Up-, Mid-, and Low-country zones respectively in which case the average monthly income of an individual adult male member of an average family would work out to Rs.  $37.06 \div 3.36$  or Rs. 11.03, Rs.  $40.19 \div 3.84$  or Rs. 10.47 and  $29.38 \div 3.24$  or Rs. 9.07 in the Up-, Mid- and Low-country zones respectively. An adult male was also entitled to free housing and free firewood. Considering their money-value, the total monthly income of an adult male, according to the Report, would work out, on an average, as follows :

	Up-country		Mid-country		Low-country	
	Rs.	Cents	Rs.	Cents	Rs.	Cents
Average monthly income per adult male, as worked out above	11	03	10	47	9	07
Money-value of free housing	0	90	0	90	0	90
Money-value of free firewood	0	50	0	50	0	50
Total	Rs. 12	43	Rs. 11	87	Rs. 10	47

The average monthly expenditure of an adult male labourer, as detailed in the Report, was as follows :

	Up-country		Mid-country		Low-country	
	Rs.	Cents	Rs.	Cents	Rs.	Cents
Food	7	12.5	6	90.1	6	37.7
Rent <sup>77</sup>	0	90	0	90.0	0	90.0
Clothing	1	37	1	22.8	0	89
Fuel and light	0	72	0	74.4	0	71.2
Miscellaneous	1	85	1	81.4	1	46
Total	Rs. 11	96.5	Rs. 11	58.7	Rs. 10	33.9

It would thus appear from the above details that an adult male labourer would have a negligible balance at hand per month after meeting his expenditures, as indicated below :

	Up-country		Mid-country		Low-country	
	Rs	Cents	Rs	Cents	Rs	Cents
Income of an adult male per month	12	43	11	87	10	47
Expenditure of an adult male per month	11	96	11	58	10	33
Balance	Rs. 0	47	Rs. 0	29	Rs 0	14

The Report of Rajanayagam, therefore, stressed the desirability for an increase of wages in face of a labourer's expenditure almost overtaking his income, as also in consideration of the rapidly increasing cost of living. The question of the enhancement of wages was considered by a sub-committee of the Board of Indian Immigrant Labour, which recommended an increase of wages by 3 Cents. The District Estates Wages Boards met on different dates in January 1942 to consider the recommendation of the Board of Indian Immigrant Labour and, pending a final decision, advised the estates to increase the wages by 3 Cents provisionally, with effect from 1 January 1942. Final decision on the enhancement of wages was taken on 1 May 1942 from which date the following rates of wages, with the issue price of rice not exceeding Rs. 4.80 per bushel, came into force :<sup>78</sup>

	Men	Women	Children
	Cents	Cents	Cents
Up-country	57	46	35
Mid-country	55	44	34
Low-country	53	43	33

Along with the above rates of wages, a scheme of dearness allowance varying with the living-index figure was brought into operation, so as to enable the labourers to cope with the rapidly increasing prices of commodities.

In 1944, all essential articles were in short supply in the labourers' Co-operative Stores. This compelled them to obtain their requirements of essential commodities mostly from the black market, where the prices of articles were obviously exorbitant. The glaring disparity between the controlled

prices of the articles of necessity and their prices obtaining in the black market in 1944 would be evident from the following table:<sup>79</sup>

Commodity	Controlled price		Black-market price	
	Re.	Cents	Re.	Cents
One pound rice	0	19	0	75
One pound sugar	0	42	0	65
One pound chilly	0	68	1	50

The labour Union, therefore, began to agitate for higher wage-rates. The agitation produced the desired effect. From 1 August 1945, the following minimum rates of daily wages came to be introduced<sup>80</sup>:

	Basic Rate	Dearness Allowance	Total
Male worker not under 16	58 Cents	67 Cents	Rs. 1.25 Cents
Female worker not under 15	46 Cents	54 Cents	Rs. 1.00 Cents
Child worker	41 Cents	47 Cents	Rs. 0.88 Cents

The daily wage-rate of a labourer was raised higher and higher in the years that followed till in 1973 the basic minimum wage-rate for a male labourer was laid down by the Ceylonese Government at Rs. 3.70 a day and for a female labourer at Rs. 2.81 a day.<sup>81</sup> It is, however, revealed in an article by Michael Gillard, who was in Sri Lanka with the Granada Television Team of London, which visited the Island in 1973 to spotlight the conditions prevailing on the tea estates, that, after deductions for certain subsidized rationed articles such as rice, flour, dried fish, sugar and dahl, the families on the tea estates visited by the Team were left with as little as 16 pennies each with which to survive for a month.<sup>82</sup> If the average income of an estate household for one month was Rs. 211, its average monthly expenditure amounted to Rs. 254.10 in 1969-70.<sup>83</sup> The expenditure, therefore, exceeded the income. Malnutrition was the inevitable consequence. Borrowing is no permanent solution to the estate labourer's problem of how to make his both ends meet.

With the question of the labourers' wages is associated the method of payment of wages to them. Though the wages were treated as monthly wages, they were calculated on the basis of daily rate, and no labourer was entitled to wages for any day on which he failed to turn up for work. A labourer could, in fact, earn his wages by obtaining a 'name' on the check-roll for a day's work. Initially, wages were paid once in two months, wages for January and February, for instance, being liquidated in March or even in April. Apart from such irregular payment, one month's wages were deducted on account of the cost of rice issued to him and in repayment of his debt to the Kangany, while only one month's wages were handed over to him. 'Advances' made to a labourer were deducted from his wages with his consent. The irregularities and incongruities in payment came to be subsequently remedied through legislation. Ordinance No. 11 of 1865, for instance, laid down that the wages should be payable each month. This provision, however, simply meant that it would be enough if the wages were paid within one month from the expiry of the month during which the wages were earned. This was one of the reasons why the Indian labourer suffered from chronic indebtedness. The Ordinance of 1865 was, therefore, amended by Ordinance No. 27 of 1927 and, still later, by Ordinance No. 22 of 1955, which stipulated that a month's wages should be paid on or before the tenth day of the following month. It was also finally settled that the wages, after deductions on account of cash advances and the cost of food, clothes or other articles supplied to a labourer, should be paid in full directly to him.

The fringe benefits, enjoyed by the labourers, have already been mentioned, briefly though, in connection with the discussion on their family budget. Of the fringe benefits, the housing of the labourers and their medical care require a study in some details. The Tamil labourers on their employment as estate workers were required to reside in the vicinity of the plantation-fields and were housed in structures called lines, erected close to such fields. Meant exclusively for the housing of the Indian estate labourers, the

barrack-like lines were originally single rows of sheds, made of mud and stick and roofed over with thatch. Later on, stone and sawn timber were used in building the lines, and shingle roofs replaced the former thatched ones, while the construction of two rows of rooms back to back was also undertaken. The labourers who appeared to the employers as 'dirty and untidy in their habits' usually slept on mats on the earthen floor of the lines. Normally each room had a floor-space of 12 feet by 10 feet and was not less than 8 feet in height. It had a verandah in front, 6 feet wide, but had no window. The door of the room was so low that the labourer had to bow his neck and bend his back every time he entered the room or came out of it. Roof was subsequently made of corrugated iron sheets without any lining underneath. Under the rules, 4 persons (2 adults and 2 children) could be accommodated in one room, measuring 12 feet long, 10 feet broad and 8 feet high. A room, normally allotted to 4 persons, was used at once as a bed-room, kitchen, parlour, store-room and even as the space for storing firewood, with the result that it was barely sufficient for a comfortable accommodation. It was rather quite unfit for human beings to live in.

Planters were obliged by law to provide for the proper housing of the Indian labourers. On estates the labourers were entitled to free housing. But the lines built on estates were limited in number and did not, therefore, suffice to accommodate the growing estate population in course of time. A certain percentage of the estate population had, in the circumstances, to find accommodation in the houses built in adjacent villages or close to towns. For such accommodation outside proper estate areas, the labourers were required to pay a rental of 90 Cents per head per mensem.<sup>84</sup> But the housing arrangements made by the planters whether on estates or outside estate areas were meagre and unsatisfactory. Latrines were seldom provided. The drainage system was anything but satisfactory. Ventilation was not specially provided 'unless the bad joining of doors and the cracks in the walls are considered as sufficient for admitting fresh air in and letting bad out'.<sup>85</sup> This was also the impression of Miss Edith Bond who conducted an investigation in 1974 into Sri Lanka's Tea industry and the

plight of the estate workers. As recorded by her, 'Many units (of lines) are seriously overcrowded, without water or latrines near by, which increases the health hazard. In an estate near Nuwara Eliya, 30 families are living in lines huddled and congested into 14 rooms...Conditions are dismal generally. Buildings are not regularly repaired and maintained. Roofs leak. There is no proper sanitation. Drains and latrines are blocked. On one British-owned estate (Galah), a water pipe had been broken for at least a year. Although this had been reported, people had still to walk 1-1½ miles to the nearest water tank. On this part of the estate, one worker said that there had been no repairs for 10 years. Some lines still being used are the original ones, built when the plantations were first developed over a hundred years ago. Workers are born, live and die in the same room. On Galaha estate, a 40-year old man still lives in the room in which he was born. His family had lived in that room for 35 years previously. The main roof leaks. There is no water readily available. There are toilets but none of them functions and the drains are never cleaned. He remembers repairs being undertaken at least four or five years earlier.'<sup>86</sup> The majority of the housing units for the labourers are the lines of the above description.<sup>87</sup>

Both en route to the estates and after their arrival there, the labourers frequently suffered from fever, dysentery, smallpox and other ailments for which they required medical care and attendance. It became incumbent upon the Government and the planters as well to provide the suffering labourers with medical relief, free of charge. The hospital of the Kandy Friend-in-Need society, founded in 1838 for the benefit of the poor and the sick in Kandy, had by 1840 become exclusively a hospital for immigrant labourers. Though the contribution of Government to the funds of the Society towards meeting the medical expenses of the sick estate labourers was not considerable, still it spent no small sums annually through the public treasury in aid of them. In fact, as it appears from Tennent's despatch to Grey,<sup>88</sup> the Government of Sri Lanka spent, for medical aid to labourers, sums 'so considerable as to be entirely disproportionate to the revenue at our command for the more urgent uses of the Colony.' In support of his statement Tennent mentioned in his despatch the following

amounts spent from Public treasury for the above purpose from 1843 to 1846: <sup>89</sup>

1843	£ 186-10-11
1844	£ 267- 5- 0 $\frac{1}{2}$
1845	£ 811- 1- 8 $\frac{1}{2}$
1846	£ 1,590- 0- 3 $\frac{1}{4}$

It was not, however, the Government of Sri Lanka but the planters themselves who became ultimately responsible for the medical care and treatment of the sick estate labourers, free of charge. The planters' obligation to provide for free medical care of the estate labourers was soon placed on a legislative footing. Section 27 of Ordinance No. 11 of 1865,<sup>90</sup> for instance, laid down that a labourer would be entitled to lodging, food and medical care at the expense of his employer during his illness, while in the service of the employer. In 1871, the Planters' Association requested the Government of Sri Lanka to adopt a system of outdoor relief for labourers at different Government civil hospitals of which there were 24 in 1882. The Principal Civil Medical Officer could not entertain the request on the ground that the duty of rendering medical aid to labourers rested with the planters, not with the Government. Government at this stage proposed State control of estate medical work. The proposal was opposed by the planters who demanded, instead, that the required medical help be provided on a voluntary basis. Finally, in the teeth of opposition of Mr. Leake, the Planters' representative on the Legislative Council, Medical Aid Ordinance No. 14 of 1872, the first of its kind, was passed, the provisions of which confirmed Section 27 of Ordinance No. 11 of 1865. Ordinance No. 14 of 1872 dealt with the coffee and chincona estates and provided for the creation of Medical Districts, the estates of which were to be assessed to raise funds required for meeting the estate labourers' medical wants.<sup>91</sup> The work in each medical district was to be controlled by elected District Committees, each under its own Chairman, who should frame legally binding rules. The Government Agent was empowered to distrain, if the assessments towards meeting the medical wants were not paid. The Governor could appoint Medical Officers whose salaries were to be a charge against the sum recovered as

assessment from the districts.' The next significant Ordinances were passed in 1912—Ordinance No. 9 to consolidate and amend the ordinances relating to the medical wants of labourers in planting districts, and Ordinance No. 10 to prevent the spread of diseases among labourers. Ordinance No. 9 laid down the following provisions, among others: (1) It would be lawful for the Governor to declare any district of Sri Lanka an Estate Medical District for the purpose of this Ordinance. (2) In each Medical District should be established such hospitals and dispensaries as might be necessary for the medical treatment of the labourers on the estates of the district. (3) It would be the duty of the District Medical Officer to treat, on the written request of an estate Superintendent, any sick labourer on his estate, to direct his removal to hospital, if considered necessary, and to attend all such labourers admitted into the hospital. It would also be the duty of the District Medical Officer to visit the estates within his district or any other estate (which he might be directed to visit), to inspect the sanitary condition there, to examine the health of the labourers and to make sure whether they were vaccinated, and to inspect all children under one year, resident upon the estates, and to give directions to the superintendents towards their proper care and nourishment. (4) The estate superintendent would be entitled to the free supply of drugs from the Government Medical Department for the medical treatment of his labourers to the value of not exceeding 50 Cents per labourer per annum. (5) The superintendent would maintain the lines on his estate and those in the vicinity in a fairly sanitary condition. He would also keep himself informed of all the cases of sickness on his estate and would take immediate steps for the relief of the sick either by removing them to hospital or by sending for the District Medical Officer to attend them. It would also be the duty of the superintendent to look after a female labourer after her delivery, by supplying her, at the cost of the estate, with lodging and sufficient food for one month and by ensuring that she would not be required to work on the estate for one month unless the District Medical Officer should report that she was fit for work sooner. The superintendent should also see to it that all children below one year, resident on the estate, receive proper care and nourishment.

Ordinance No. 10 of 1912 was introduced to prevent the spread of disease among the labourers of an estate. When any superintendent had any reason to apprehend that a disease prevailed among the resident labourers of his estate, he could write to the District Medical Officer, giving him such directions as he might consider necessary for the treatment and arrest of the disease. The District Medical Officer on his part might then require any labourer of the estate to be removed to hospital for proper treatment. The Principal Civil Medical Officer might also direct a Medical Officer of his department to visit the estate for taking necessary steps towards arresting the disease. If the labourers' lines were insanitary, the Governor could condemn them and order their reconstruction in conformity with sanitary rules for the prevention and spread of the disease.

In 1926, the Government of India reviewed the existing provisions for the medical aid to the labourers as also for maternity benefits.<sup>92</sup> The occasion for this review was provided by the proposal of the Ceylonese Government to amend the Medical Ordinances of 1912. As regards medical aid to the labourers, the Government of India proposed that every estate having 750 Indian labourers resident on it should be required to maintain a dispensary in charge of a qualified apothecary and to employ a trained midwife. As regards maternity benefits, hitherto these varied from estate to estate. The Government of India now proposed standard or uniform maternity benefits for all estates. The proposals were that every female labourer after her delivery would be entitled to receive six measures of rice and two rupees in cash per week for one month, that her period of absence from work should be made absolute and fixed at one month, without giving any discretionary power to the District Medical Officer to certify that she was fit for work sooner. The above suggestions of the Government of India regarding dispensaries, midwives and maternity benefits generally met with the approval of the Ceylonese Government which promised in July 1926 to place the suggestions before the Legislative Council at the earliest possible date. It was not until November 1927, however, that a Committee was appointed by the Ceylonese Government to report on what modifications, if any, were required in the existing medical

ordinances. In September 1929, the Ceylonese Government informed the Government of India that the investigation had been complicated by political, financial and administrative difficulties and that the Committee expected to complete its report at an early date. The Report was published in 1930. In reply to an enquiry made by the Government of India, the Government of Sri Lanka stated in May 1931 that the Committee's proposals, as embodied in the Report, went further than was necessary at the time and that it had decided to take no action on the proposals.<sup>93</sup> The Government of Sri Lanka, however, assured that all possible steps would be taken to improve the condition of the estate labourers. With regard to the maternity benefits, the Ceylonese Government stated that the average benefits received by the female labourers after their delivery included a cash payment of five rupees, half a bushel of rice, and the services of an attendant, on estate account, as long as necessary. 213 trained midwives and 285 lying-in-rooms and wards had been provided on estates. The Ceylonese Government further stated that infantile death-rate had decreased from 228 per thousand births in 1927 to 194 in 1930<sup>94</sup> but that further progress in the reduction of infant mortality was likely to be slow due largely to the conservatism of the female labourers and to their reluctance to avail themselves of the lying-in facilities, provided for them.<sup>95</sup>

The year 1956 saw the enactment of another medical ordinance—An Ordinance to consolidate and amend the laws relating to the medical wants of labourers in planting districts.<sup>96</sup> The provisions of this Ordinance are almost the same as those of Ordinance No. 9 of 1912, discussed above, and have been, therefore, briefly recapitulated here, as follows: (1) Every Estate Medical District should be equipped with hospitals and dispensaries for medical treatment of the estate labourers of the District. (2) District Medical Officers would have the duties of treating the sick labourers on the estates in their charge, directing their removal to hospital, if necessary, inspecting the sanitary condition of the estates, and also looking after the health of all estate children, below one year, and giving directions to the estate superintendents as to how to take care of them and to provide for their nourishment. An estate superintendent would be entitled to a free supply

of drugs from the Department of Health for the medical treatment of his labourers, to the value of not exceeding 50 Cents per labourer per annum. He would also be entitled to obtain, from the Department of Health or from a Government dispensary, the supply, at cost price, of all such prescribed drugs as he might reasonably require for meeting the medical wants of labourers other than those for whom the free supply of drugs was obtainable.

As provided by the aforesaid Ordinances, hospitals and dispensaries came to be established by both Government and planters for the treatment of sick labourers in different estates, as would be borne out by the following Table:<sup>97</sup>

Year	No. of schedu- led estates	No. of Govt. hospi- tals	No. of Govt. dispen- saries	No. of estate hospi- tals	No. of estate dispen- saries	Total No. of hospi- tals	Total No. of dispen- saries
1917	2,382	46	115	54	353	100	468
1918	—	50	74	58	450	108	524
1919	—	51	74	51	460	102	534
1920	—	54	81	63	—	117	—
1921	—	55	81	68	480	123	561
1922	—	58	81	67	—	—	—
1923	2,568	59	82	69	489	128	571
1924	2,568	59	82	78	593	137	675
1925	2,602	59	106	79	690	138	796
1926	2,852	62	100	78	645	140	745
1927	—	62	100	80	659	142	759
1928	—	65	104	81	684	146	788
1929	—	65	112	85	706	150	818
1930	—	66	108	88	715	154	823
1931	—	66	108	87	720	153	828
1937	—	64	109	—	—	—	—
1938	—	64	111	—	—	—	—

The above Table is illustrative of the most insufficient provision for medical treatment of the estate labourers. In 1918, the total Indian estate population was 7,25,068 and in 1931, 6,92,540. The number of hospitals and dispensaries, provided in 1918 and 1931 for such a huge population of

labourers, was, as would be borne out by the above Table, hardly sufficient for coping with the problem of giving medical aid to the sick and diseased among them. As stated by Ranganathan in the course of his giving a general review of the condition of labourers in Sri Lanka from January to July, 1924, only a few estates maintained qualified doctors, and on the majority of them medical relief was entrusted to dispensers who were mostly ignorant and inefficient. Few of them enjoyed the confidence of the labourers and many of them were actively disliked. Ranganathan's information was that the majority of the Indian labourers then (that is, in 1924) suffered from hook-worm and venereal diseases. Venereal cases, according to rule, were to be treated only in Government hospitals. Such a rule, according to Ranganathan, was in itself a proof of the inadequacy and inefficiency of the existing estate medical staff.<sup>98</sup>

It was alleged by the planters that the labourers were reluctant to be admitted into hospitals for treatment and that they were thus themselves responsible for their ill-health. J. Murdoch, Secretary of the Christian Literature Society, Sri Lanka, wrote in 1871: 'The testimony is universal of the excessive repugnance of Indians to enter a hospital and of the consequent hoplessness of their cases, when at last compelled to do so. The case is the same in the West Indies, and I do not see that anything can be done to overcome the repugnance.'<sup>99</sup> The inadequacy of medical treatment, the lukewarmness on the part of the labourers to take advantage of whatever hospital facilities were available to them, the insanitary condition of the lines and, above all, a poor diet made the labourers the easy victims of diseases ranging from dysentery to tuberculosis. As Miss Edith Bond recorded in 1974, overcrowding, few and ill-used latrines, open drains and a diet, deficient in protein and vitamin, left the workers vulnerable to diseases; infant-mortality rate, as in 1972, was 107 per thousand live-births; some plantations provided for hospital facilities, while others engaged dispensers only, who were not adequately qualified to attend the cases of urgent or serious illness; the shortage of properly trained and qualified medical personnel was a major obstacle to the improvement of health-services on the estates; maternity facilities were provided on many estates but the shortage of

qualified midwives was acute; qualified midwives were absorbed into government hospitals, while private or estate hospitals were manned by the rejects—the retired, the dismissed, or the unregistered midwives having experience but no formal training; free drugs were supplied to estates but over the last 10 years few had their full quota of drugs; the quantity of drugs supplied to estates in recent years had, on an average, been about 33 per cent short of the quota sanctioned.<sup>100</sup>

Indian immigrants reached Sri Lanka by following two principal routes—Mandapam-Paumben-Dhanuskodi-Talaimannar rail-cum-ferry route, and Tuticorin-Colombo sea-route. The first route was convenient for the emigrants from north

**Routes followed by Immigrants** Madura, Tanjore, Trichinopoly and the adjoining districts, whereas the second route was preferred by those who emigrated from south Madura, Tinnevelly, Trivandrum and the adjoining districts. Up to 1896, the estate labourers normally followed the route via Mandapam and Paumben whereas the miscellaneous emigrants<sup>101</sup> resorted to the Tuticorin-Colombo sea-route. Till that year neither the estate labourers nor the miscellaneous passengers passing through their respective routes were subjected to any quarantine or disinfection, and their medical examination by unqualified men was obviously very cursory.<sup>102</sup> After the outbreak of a plague in South India in 1896,<sup>103</sup> the Government of Sri Lanka decided to introduce the system of quarantining the immigrants before allowing them to enter the Island. The Government of Sri Lanka accordingly closed the Mandapam-Paumben route, opened a camp at Tataparai near Tuticorin and required that both the estate labourers and miscellaneous passengers must be in quarantine for a certain period at the Tataparai camp before their departure for Sri Lanka.<sup>104</sup> But too much pressure on the Tuticorin-Colombo route prevailed upon the Government of Sri Lanka to open another quarantine camp at Mandapam in Ramnad in 1914.<sup>105</sup> This resulted in the re-opening of the Mandapam-Paumben route and, along with it, of the North Road which used to be followed by estate labourers after reaching Manner via Mandapam and which was temporarily closed to the immigrants in the wake of the closure of the Mandapam-Paumben route. The Tataparai camp continued

functioning as the camp to receive the miscellaneous passengers who sought to reach Colombo by sea-passage, whereas the Mandapam camp received the estate labourers who followed the Mandapam-Paumben route to reach the plantation estates by land via Mannar, and North Road or along the west coast via Pasalai, Mannar or Vankalai.

At the Mandapam camp, the estate labourers had to be in quarantine for a period of five days for a medical check-up. The quarantine period being over, those certified to be free from any ailment were allowed to board the train which took them over the Paumben bridge to the port of Paumben on the island of Rameswaram. From there they again entrained so as to reach the port of Dhanuskodi<sup>106</sup> at the eastern end of the island. They then crossed the narrow strip of water connecting Dhanuskodi with the north-west coast of Sri Lanka in Rice boats, reaching Talaimannar, the northern terminus of the Ceylon Railways, after a short sail of 4 or 5 hours.<sup>107</sup> From Talaimannar they reached Manner wherefrom they arrived at their destination, the province of Kandy, following the North Road. According to the Birch Commission Report (1878),<sup>108</sup> the immigrants coming by the North Road were carried in Government vessels from Paumben to Vankalai (a Ceylonese port to the south of Mannar) during the north-east monsoon and from Devipatam (a port in Ramnad) to Pasalai (a port on the coast of Mannar island) during the south-west monsoon. After landing at Vankalai or at Pasalai, the immigrants performed the rest of the journey on foot along the same North Road. Obviously, therefore, according to the Birch Commission, the immigrants did not proceed to Sri Lanka via Dhanuskodi. On the contrary, during the north-east monsoon, from Mandapam they first reached Paumben wherefrom they sailed straight for Vankalai and, during the south-west monsoon, they boarded the ship at their home-port of Devipatam and sailed straight for Pasalai to the north of Vankalai. Ridgeway, who arrived at Sri Lanka in February 1896 as Governor, also found that the labourers were conveyed in Government vessels not from Dhanuskodi but straight from Paumben to Mannar at a cost of one rupee each.<sup>109</sup> After reaching the north-west coast of Sri Lanka whether at Mannar or at Vankalai or at Pasalai, the labourers normally trudged along the North Road on their way to

I N D I A

MAP SHOWING THE  
ROUTES FOLLOWED  
BY TAMIL LABOURERS FROM  
INDIA TO SRI LANKA

SCALE

Km 40 20 0 40 80 Km



Kandy. As they proceeded along the North Road, they passed through Medawachchiya, Mihintale, Tirappane, Maradankadawela, Elagamuwa, Dambulla, Nalanda and Matale before they entered Kandy and dispersed to various estates.<sup>110</sup> This long trek covering a distance of  $156\frac{1}{2}$ <sup>111</sup> miles was, in the early days of immigration, strenuous in the extreme, as was admitted by the planters and traders in Kandy in their memorial submitted in 1846 to the Principal Secretary of State for Colonies.<sup>112</sup> A considerable part of the long route lay through comparatively unhealthy and desolate districts without practically any shelter to be found on the wayside, and without water for miles ahead. The journey through such inhospitable district caused the labourers untold sufferings which were aggravated by their extreme poverty, with the result that many died of exhaustion and cholera on the way, their mortal remains not infrequently lying unburied on the road-side. Those who reached their destination felt so much run down and became so much emaciated by disease and starvation that they were quite unable to work on estates for some days and consequently, faced privation and hardship. Many, again, fell sick, being unable to bear the humid climate of Kandy. The memorialists also pointed out the dearth of adequate hospital facilities in Kandy for the treatment of the arrivals who required immediate medical attention. The hospital of the Kandy Friend-in-need Society, managed by the benevolent Europeans in and about the town, was then facing a financial crisis and, as the memorialists said, would have, at that moment, been closed but for the pecuniary assistance afforded by one of its most active supporters. The hospital was, moreover, very small in area, its ground floor standing on an area, exclusive of walls and verandahs, of  $56\frac{1}{8}$  feet by  $17\frac{3}{4}$  feet only. The planters, in the circumstances, appealed to the Government of Sri Lanka for adopting measures towards ensuring the safety and comfort of the labourers in the course of their journey to Kandy. The memorialists concluded their petition with the apprehension that 'a continuance of the neglect of the comforts of those, on whose services the planters are mainly dependent, may issue in such a material diminution in the current of immigration, on which the estates have hitherto depended, as

may exercise a prejudicial influence on the pursuit of those, now engaged in the cultivation of land.<sup>113</sup>

Commenting on the above memorial, Governor Tennent remarked that government was solicitous of the welfare of labourers and spent money largely, even disproportionately, from the public treasury towards their protection and medical care. Tennent, therefore, thought that the labourers' sufferings should be ascribed not to the indifference or absence of sympathy on the part of government but rather to 'the want of active and generous co-operation on the part of those by whose invitation and for the benefit of whose estates labourers are induced to resort to Ceylon.' Concluding his comment, Tennent said that 'complaints of a scarcity of labour have, in a great degree, been confined to districts in which individuals have failed to manifest a becoming regard for the personal treatment of the coolies and a due punctuality in the payment of their wages.'<sup>114</sup>

The question of the alleged hardship of the estate labourers' journey from Mannar to Kandy was also taken up for investigation by the Birch Commission.<sup>115</sup> The Commission examined some witnesses who were the owners of coffee estates. Those witnesses, according to the Commission, testified to the 'admirable arrangements' on the road from Mannar to Kandy. The route, the Commission reported, was favourite with the immigrant labourers. They used it for so many years that they had become accustomed to it. The fact is that the condition of, and the amenities on, the North Road had been much improved since the planters of Kandy submitted the aforesaid memorial in 1846.

Some labourers on arriving at Mannar moved southward towards Kandy along the west coast of Sri Lanka instead of along the North Road. Such labourers proceeded from Manner along a desolate and inhospitable road to a distance of about 70 miles and reached Puttalam.<sup>116</sup> From Puttalam they marched downwards to a further distance of about 80 miles to reach Kurunegala<sup>117</sup> and finally, Kandy, their destination. The labourers, who followed the Puttalam-Kurunegala road, were initially exposed to much hardship and privation, there being no shelter for rest, no hospital for the treatment of those who fell sick. The diseased labourers were often left by their companions to die on the road, with-

out the care of an attendant or without even the shelter of a roof. In 1840, the attention of the Governor, Stewart Mackenzie, being invited to the miserable plight of the labourers following the Puttalam-Kurunegala road, orders were issued by him for taking measures towards giving relief to such labourers. Rest houses and hospitals were eventually built at both the places, while officers and peons were stationed along the road to afford aid to the labourers, to conduct them to the Rest houses and to hospitalize them, when overtaken by disease.<sup>118</sup> Similar precautionary measures were adopted along the road from Mannar to Puttalam but these were less successful because of 'the severe difficulties of that portion of the road', though, as Tennent wrote in his Despatch of 21 April 1847, 'the coolies themselves have never complained of any deficiency in this regard.'

Another principal route was the Tuticorin-Colombo sea-route which was normally followed by the miscellaneous passengers from the South Madura, Tinnevelly and Trivandrum districts, as mentioned above. This route gained in popularity after the opening of the railway connecting Madura with Tuticorin. The passengers following this route boarded the vessel at the port of Tuticorin (in Tinnevelly) via the camp of Tataparai, about 7 miles distant from the port. They disembarked at the port of Colombo, normally after a voyage of 24 to 30 hours' duration.<sup>119</sup> and were taken by train to the quarantine camp at Ragama near Colombo. The quarantine period being over, they were sent to the railway stations nearest the estates they were bound for. Thus did the labourers reach Sri Lanka for plantation work, their

**Cost of passage** transport cost from their South Indian villages to Kandy averaging about three rupees each way.<sup>120</sup> Four vessels were employed for the transport of labourers between Paumben and Mannar, each such vessel being of 192, 200, 206 and 241 tons in weight and each, licensed to carry 2<sup>1</sup>/<sub>2</sub> passengers on board per ton.<sup>121</sup>

It was too much to expect that the labourers would have a pleasant journey from their villages in South India to

**Treatment meted out to labourers** the estates in Kandy or that home comforts would be awaiting them after their arrival at the estates. On the contrary, they were, as could be apprehended, subjected to various hardships on

leaving their village-homes for the plantation fields in Sri Lanka. They suffered extortion at the hands of the Kanganiyas. Their troubles gradually mounted up as they plodded their weary way through the desolate roads after reaching Mannar. Initially, the roads they followed were inhospitable, denuded of sheds or shelters, centres for medical treatment or even of any provision for water-supply at short distances. Many died of cholera, smallpox and dysentery on the road and, when they reached the Kandyan estates, the chilly and damp climate of the hills, so different from the dry and warm weather of the Madras Presidency, took no small toll of their lives. Above all, the treatment meted out by some of the planters was anything but desirable. As Tennent wrote in his Despatch of 21 April 1847, 'information occasionally reached the government that the condition of the coolies on the estates and their treatment by their employers were not, in every instance or in every particular, such as humanity or even policy would have required in order to encourage and secure a continuance of their resort to Ceylon'.<sup>122</sup> What struck Tennent most was to find that the planters did not hesitate to ill-treat the Indian labourers in spite of their knowing fully well that they were so much indispensable to their estates: 'Notwithstanding that...the Malabar coolies were the only force on whom they could rely, sufficient care has not been uniformly exhibited to ensure their comforts on the estates, to erect healthy and suitable dwellings for their shelter or to provide rice and other necessaries for their support, when located at a distance from Bazaars. When attacked by disease, they were sometimes driven off to die instead of being tended by medical advisers or (being) conveyed to the hospitals of the Government; their wages instead of being punctually paid were frequently allowed to be months in arrear or even altogether withheld, and their importunities or irritation, silenced by blows and personal restraint'.<sup>123</sup> It came to the notice of Tennent that those planters, who lived on their own estates and personally looked after their management were 'honourable exceptions'. In the majority of the cases, where the planters were non-resident and the management of the estates was left to their Agents or Superintendents, the treatment and condition of the labourers were 'deplorable in the extreme'.<sup>124</sup> The treatment

they received on such estates made them indisposed to repeat their visits to Sri Lanka.<sup>125</sup>

No mere carping critic of the planters and superintendents, Tennent offered certain proposals<sup>126</sup> for the proper treatment of the labourers on estates. First, a new category of officers, called Protectors of coolies, should be appointed with the duties to visit the estates at intervals, to inspect the labourers' lines, to ascertain whether their contracts were faithfully adhered to and, in cases of their infringement, to explain to them the nature of their redress and the means of obtaining the same from the nearest Magistrate. The Protectors would also have the duty of inspecting the Agents' and Superintendents' record-books and check-rolls showing the returns of the number of labourers on estates. Secondly, four or five additional local Magistrates should be appointed so as to give the labourers readier access to them than they had before. No contract for labour would be valid unless it was attested in the presence of a Magistrate and unless he had ascertained before attestation that the parties were distinctly aware of the nature and obligations of the contract. Thirdly, the duration of contract might be extended beyond the term of 12 months, as limited by the Ordinance of 1841. Fourthly, labourers should be allotted gardens and plots of land for the cultivation of vegetables and the rearing of stock and poultry. This step, if followed, as Tennent held, would diminish the difficulties of supplying food to the labourers in the districts, remote from villages and bazaars. The Colonial Secretary, Earl Grey, concurred in the above proposals of Tennent.

The labourer-planter relation was decided by the Ceylonese Government to be regulated by legislation. The first fruit of this decision was Ordinance No. 5 of 1841 or

the Ordinance 'for the regulation of Servants, Labourers and Journey men Artificers under contracts for Hire and Service

Some labour legislations and of their Employers.'<sup>127</sup> According to this Ordinance of the Government of Sri Lanka, every verbal or unwritten contract or agreement of a labourer would be deemed as an engagement for a period not longer than one month. His contract of service would be terminated by a week's previous notice or warning, given by either party to the other, that he or she had no intention to renew the contract. The wages for

such service should be payable on a monthly basis. The employer would be entitled to discharge his labourer without previous notice, if he instantly paid his labourer the wages for the period of time he or she had already served, in addition to 15 days' wages from the day of such discharge. Any contract for service could also be terminated by the misconduct of either in their relative capacity of Master and Servant. Written contracts could be entered into for the maximum period of one year and needed a month's notice for its termination. If a labourer refused to work, deserted or otherwise misbehaved himself, the District Court would forfeit all his wages then due, if not exceeding one month's wages, and could, in addition, imprison him for a maximum period of three months, with or without hard labour. The Ordinance also provided for penalty on employers refusing, without cause, to act up to contract. The guilty employers would be charged with the payment of all arrear wages and, in addition, would be liable to a fine not exceeding ten pounds or, in default, to imprisonment for a maximum period of three months.

The Ordinance of 1841, it would appear, made provisions for the protection of the interests of labourers. Commenting on the Ordinance, Tennent observed that the labourer, 'unaware of its existence, ignorant of his own rights or apprehensive of still further annoyance, failed, in almost any one instance, to appeal to it for protection or to call on the local Magistrate for assistance.' In this connection, Tennent observed further that, a labourer's habit and disposition were 'to suffer in silence' and that, when at last hopeless of redress, he went back to his own country in disappointment, without making any complaint, being determined, however, that he would return no more to Ceylon and would also warn his countrymen against seeking employment on estates in Ceylon.<sup>128</sup>

The planters could not look upon the Ordinance with a good grace. Their complaints were that it was not sufficiently explicit or comprehensive and that, while it gave the labourer the privilege of claiming the entire month's wages, if he chose to work for the whole month, it was insufficient for the protection of his employer who might be deprived of his services at a week's notice. The planters, therefore, considered it desirable that both the employer and the

employed should give each other one clear calender month's notice before the termination of the verbal contract. They further demanded that the written contract should cover a period of three years. It was not until 1859 that the government gave any thought to this demand of the planters. Ordinance No. 15 of that year, as already stated, proposed to recruit labourers from remote districts such as the Northern Circars of the Madras Presidency on the basis of a contract for 3 years. The Ordinance was not, however, implemented. It was, therefore, followed by a new ordinance, Ordinance No. 20 of 1861, by which the owners of estates were enabled to enter into contracts for the hire and service of persons to be employed in agricultural labour for any period exceeding 1 month but not exceeding 3 years.<sup>129</sup> The Ordinance also made the employers liable to furnish labourers, rendered incapable of service, with the adequate means of returning to India. The Ordinance of 1861 was succeeded by Ordinance No. 11 of 1865,<sup>130</sup> also called the Master-Servant Law of 1865, the main basis of which was supplied by Ordinance 5 of 1841.

According to the Ordinance of 1865, every verbal contract would be a contract of service for one month. Such a verbal contract of one month's duration would be renewable from month to month unless one month's previous notice or warning (one week's previous notice or warning being required under the Ordinance of 1841) was given by either party to the other of his or her intention to terminate the contract (Para 3). The wages of labourers should be payable each month. The employer would be entitled to discharge his labourer without previous notice, provided that the labourer was instantly paid his or her wages for the period of time already served, besides one month's wages (under the Ordinance of 1841, additional wages being for 15 days more) from the day of such discharge (Para 4). Written contracts with labourers could be entered into for a period exceeding one month but not exceeding three years. Any such contract should be executed in triplicate, one copy meant for the employer, one for the labourer and the remaining one for the Police Magistrate of the district, wherein the contract had been executed (Para 7). No written contract would be determinable before the expiration of the period, specified

in the contract (Para 10). Every written contract for labour, entered into in India, would be valid and binding in Sri Lanka (Para 9). If a labourer refused to work or left his work unfinished or was guilty of misconduct, he would be punishable by the Police Court of the district concerned, with the forfeiture of all wages then due, (if not exceeding one month's wage) or with imprisonment, with or without hard labour, not exceeding three months (Para 11). An employer refusing, without cause, to act up to the contract (for example, refusing to pay wages) would be penalised with a fine not exceeding £ 5 or with imprisonment not exceeding 3 months (Para 14). All wages would be charged against the estate on which the labourer was employed, and all arrears of wages for a period limited to 3 months would require to be paid within a grace period of 3 months (Para 18). No labourer would be liable to punishment for neglecting or refusing to work or for desertion or disobedience, if his wages remained unpaid for any period longer than one month (Para 21). Kanganies defrauding or appropriating the advance-money for hiring labourers should be guilty of an offence which would be punishable with transportation for a period not exceeding 7 years or with imprisonment for a term not exceeding 3 years, with or without hard labour (Para 22). A labourer, rendered incapacitated by sickness due to labour, would be entitled to food, lodging and medical care at the expense of his employer during his illness, provided that the employer would not be bound to pay his employee his wages, in addition, during such period of illness (Para 27).

The Ordinance of 1865, it would appear from its provisions, was more in the interest of the employer than in that of the labourer. For instance, while under the Ordinance of 1841, a labourer could terminate his verbal contract by giving only one week's previous notice, under the Ordinance of 1865 he was required to serve one month's previous notice for the purpose. This meant that, if a labourer, under the former Ordinance, could obtain his release from an undesirable employer within a week of the date of his serving notice for the termination of his verbal contract, under the latter he was to wait for a month from the date of his notice for being released by his employer. Again, in terms of the Ordinance of 1841, a written contract could be determined

by giving only 1 month's previous notice but the Ordinance of 1865 required that a written contract could not be determined before the expiration of the period of contract specified in the Ordinance. Again, under the Ordinance of 1865, an employer could be penalised for violating a contract 'without cause' but, in practice, he would never be in want of excuses for such violation and, therefore, the question of his being penalised would be beside the point. But a labourer accused of any offence could be very easily punished. Further, the employers' demand for 3 months' grace period for paying arrear wages was conceded. The early disappointment of the planters thus gave way to 'a purr of content.' Their satisfaction raised doubts whether the Master-Servant Law of 1865 was really protective of the interests of labourers adequately.<sup>131</sup>

Next in importance to the Ordinance of 1865 was Ordinance No. 13 of 1889<sup>132</sup> which, with slight amendment, was mostly repeated in Ordinance No. 22 of 1955. In fact, the Ordinance of 1889 together with a few more Ordinances such as Ordinances Nos. 7 of 1890, 9 of 1909, 43 of 1921, 27 of 1927, 6 of 1932, 15 of 1941, 27 of 1941, 41 of 1943 and 22 of 1945 came to be amended and consolidated by Ordinance No. 22 of 1955, briefly cited as the Estate Labour (Indian) Ordinance of 1955.<sup>133</sup> Among the salient provisions of the Ordinance mention may be made of the following ones: (1) A labourer's verbal contract would last for one month and would be renewable from month to month unless one month's previous notice was given by either party to the other of his or her intention to terminate the same. (2) In the case of the termination of the contract by one month's previous notice, all wages due to the labourer for the period of service rendered should be paid in full to him or her by the employer on the day such contract would be terminated. An employer, who failed to clear his labourer's dues on the day of the termination of the contract, would be guilty of an offence and be liable to a fine up to fifty rupees on the first conviction and to two hundred rupees on the second or subsequent convictions. If the fine was not paid within 21 days of the date of its imposition, the Government Agent was authorized to recover the amount from him. (3) An employer should pay a month's wages to his labourers on or before

the tenth day of the following month. (4) No contract of service, entered into with a labourer for a period longer than one month, should be valid in law, unless it was a written one. (5) Wages of whatever amount, due to any labourer or labourers, might be sued for individually or jointly in a Court of Requests. (6) No Kangany, subordinate Kangany or labourer would be liable to arrest in execution of a decree for money. (7) It should be the duty of every employer to forward to the Commissioner of Labour every month a declaration that the wages of labourers in his employ had been duly paid, as required by this Ordinance. (8) The employer would prepare and maintain a complete register of labourers and would furnish a labourer, lawfully quitting his service, with a discharge certificate. An employer refusing to issue a discharge certificate to any labourer would be guilty of an offence and be liable, on conviction, to a fine up to one hundred rupees and to a further fine not exceeding five rupees for every day of default. (9) Each married couple, housed in the line of an estate, would be provided with a separate room to live in.

The consolidated Ordinance of 1955 was, on the whole, protective of the interests of the labourers. But they were unlettered and unsophisticated and, therefore, did not know how to seek the protection which the legislation upheld for them, with the result that they were invariably at the mercy of the planters.

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#### FOOTNOTES

1 Ceylon Sessional Paper, III, 1938—Jackson Report, op. cit., p. 13.

2 Census of India, 1931, vol. XIV, Madras, Part I. Report, p. 83.

3 Despatch no. 6, Misc., 21. 4. 1847 from Tennent to Grey, op. cit.

4 Parl. Paper Vol. XLVII of 1874, Paper no. 314, p. 16.

5 Ibid.

6 Jackson Report, Part II, op. cit., p. 5

- 7 Ibid.
- 8 'Indian Labour in Ceylon' by Dr. Lanka Sundaram in 'International Labour Review', Vol. XXIII, January-June 1931, p. 381.
- 9 C. O. 54/351, Enclo. 2 to Despatch No. 5, Legislative, 13. I. 1860. Also N. A. of Sri Lanka—Lot 6/2644, Letter no. 257, Colombo, 23. 9. 1859, to the Colonial Secretary, Colombo.
- 10 Ibid., Enclo. Report of a Sub-Committee of the Legislative Council upon the Bill to promote and regulate the employment of Indian labourers on lengthened terms of service.
- 11 Ibid.
- 12 W. B. Archives—Bengal Govt. Gen. Dept. Emig. Br., File no. 88, Prog. 14, July 1874. Also N. A. of India—Dept. of Rev. Agr. & Com. Emig. Br., Prog. 42, July 1874.
- 13 N. A. of India—Dept of Rev. Agr., & Com., Emig. Br., Prog. 42, July 1874.
- 14 Ibid., Prog. 43, July 1874.
- 15 Ibid.
- 16 N. A. of India—Dept of Rev. Agr. & Com., Prog. 44, July 1874.
- 17 Bengal Govt.—Gen. Dept. Emig. Br., Prog. 8, Octo. 1874. File no. 88.
- 18 Ibid.
- 19 Ceylon Administration Reports for 1927 and following years.
- 20 Report of the Labour Commission, 1908, Para. 5.
- 21 Despatch no. 6, Misc., 21. 4. 1847, from Tennent to Grey, op. cit.
- 22 The Report of Marjoribanks and Marakkayar, op. cit., Para. 21. It mentions 29 Agencies grouped in 4 Circles : Head Quarters Circle—Trichinopoly, Manaparai, Karur, Perundurai, Tanjore, Arantangi, Pudukkottai, Palghat ; Salem Circle—Salem, Musiri, Turaiyur, Namakkal, Atur, Kuppam, Nanjungode ; Madura Circle—Tataparai, Tinnevelly, Madura, Mandapam, Dindigul, Ramnad ; Arcot Circle—Madras, Polur, Katpadi, Arkonam, Villupuram, Chingleput ; Forwarding Agencies—Dhanuskodi and Colombo.
- 23 Ibid. Also N. A. of India—Dept of Rev. & Agr., Emig. Br., Progs. 36-38B, Aug. 1922.
- 24 N. A. of India—Dept. of Rev. & Agr., Emig. Br., Progs. 97-117A, Octo. 1922. File No. 106 of 1922. Also Confidential notes, 21. 2. 1917, of Marjoribanks and Marakkayar on their report on Ceylon and Malay immigration.
- 25 Report of Marjoribanks and Marakkayar, op. cit., Para. 21.
- 26 Ibid.
- 27 Ibid.
- 28 Ibid., Para. 22.

29 West Ridgeway, Administration of the Affairs of Ceylon, 1896-1903, p. 103.

30 Report of Marjoribanks and Marakkayar, op. cit.

31 N. A. of Sri Lanka—Lot 6/2644, Letter no. 257, Colombo, 23 Sept. 1859, to Colonial Secretary, Colombo, op. cit.

32 N. A. of Sri Lanka—Lot 4/414: Enclo. to Despatch no. 181, 27. 3. 1913. Letter from W.A.S. Sparling.

33. Ceylon Sessional Paper XXVIII, 1878, p. 13.

34 N. A. of Sri Lanka, Lot 4/414. Enclo. to Despatch no. 181, 27. 3. 1913, op. cit.

35 Vide Ordinance no. 13 of 1889 and Ordinance no. 22 of 1955, Govt. of Sri Lanka.

36 N. A. of India—File no. 169-6/34-L & O, K & W., Lands & Overseas B 1934.

Long before the final abolition of the Tundu system in 1921, Messrs Forbes and Bliss had worked out a scheme for checking the abuses of the system in their pamphlet, published on the eve of the appointment of the Labour Commission of 1908. The main outline of the scheme was that all the labourers should be registered with a Central Bureau to be administered by Government as one of its Departments. Each labourer would be required to contribute a subscription of 50 Cents to a Fund to which should also be contributed a fee of Rs. 5 per labourer by the estate which would take on labourers on Tundu. This scheme, which was thus designed to discourage the transfer of labourers on Tundu, was examined by the members of the Labour Commission of 1908. They held that to make the transfer-fee really operative in the way desired by Forbes and Bliss it would have to be fixed at a figure so high as materially to press upon the purse of the new employer and to discourage him from responding to Tundu on financial ground. But they also held that the raising of the fee was highly undesirable. They argued that, if the imposition of the high transfer fee did not produce a deterrent effect, the Fund would become unduly inflated without the ends of the Forbes-Bliss scheme being attained, and that if, on the other hand, the transfer fee operated in the way desired and an appreciable reduction in transfers on Tundu resulted, the Fund, which, as proposed by Forbes and Bliss, was to be utilized for defraying the expenses of importing new labourers from south India, would inevitably become bankrupt. The Labour Commission, therefore, held that the Forbes Bliss scheme for checking the abuses of Tundu system was unsound and could not stand the test of careful examination. Vide Report and Proceedings of Labour Commission,

1908 ; Appendix A—Pamphlet of Messers Forbes and Bliss to explain the Forbes-Bliss scheme, presented on the eve of the appointment of the Labour Commission of 1908.

37 K. Natesa Aiyar, Indian Labour in Ceylon—Veil unveiled. Vide N. A. of India—Dept. of Rev & Agri., Progs. 52-56B, Sept. 1922.

38 Ceylon Sessional Paper XXIII, 1934

39 Ibid.

40 Ibid.

41 N. A. of India—Dept. of Edu, H. L. Overseas, Prog. B 55, Jan, 1931.

42 N. A. of India—Dept. of Edu, H. & L. L&O Br: B, File no. 218-34—L & O, K.w.

43 N. A. of India—Dept. of Edu., H. & L Overseas Br, Progs. B 97-98, May 1926.

44 Ceylon Sessional Paper LXVIII, 1907.

45 T. N. Archives, Law (General) Dept., G. O. no. 153, 17. 1. 1924—Report on an enquiry into the relation between the wages and the cost of living of estate labourers, April-May 1923.

46 Ceylon Sessional Paper XXIII, 1934, Vol. II, op. cit.

47 Report of the Agent to Govt. of India in Ceylon, Chandran, for 1934.

48 T. N. Archives—G. O. No. 5209 MS, 8. 2. 1943—Administration Report of the Controller of Labour for 1941.

49 N. A. of India—Dept. of Edu., H. & L., Overseas Br., Progs A 1-68, August 1924 ; Ceylon Administration Report for 1924—Report of the Controller of Indian Immigrant labour for 1924, Chap. XVIII ; Ceylon Sessional Paper XXIII, 1934, Vol. II—Evidence of T. L. R. Chandran ; Ceylon Administration Report for 1945—Report of the Commissioner of Labour ; Ceylon Administration Report for 1946—Report of Acting Labour Commissioner ; Ceylon Administration Report for 1947—Report of Acting Labour Commissioner ; Report of the Agent to Govt. of India for 1947 ; Ceylon Administration Report for 1948—Labour Commissioner's Report for 1948 ; Report of the Agent to Govt. of India for 1948 ; Administration Report of the Commissioner of Labour for 1956, 1957, 1958, 1960-61, 1962-63 and for 1964-65.

50 The Indian Economic and Social History Review, Vol. III, no. 1. March 1966 & no. 2. June 1966—M. W. Roberts, Indian Estate Labour in Ceylon during the coffee period (1830-80). Also Silva, op. cit., p. 50.

51 Ibid.

52 T. N. Archives—Public Dept. Prog. no. 171, 22 August 1867. Also W. B. Archives—Bengal Govt. Gen. Dept.; Emig. Br., Prog. B/58, Aug. 1867.

53 Report on Indian Emigrant Labour by Marjoribanks and Marakkayar, op. cit., para 38.

54 N. A. of India—Dept. of Rev. & Agr., Br., Progs, A 97-117, Oct. 1922, File no. 106 of 1922.

55 T. N. Archives—Law (Gen.) Dept. G. O. no. 153, 17. 1. 24.

56 Ceylon Sessional Paper XXVI, 1941. Roughly speaking, estates below 2,000 feet from sea level were described as Low-country estates, those between 2,000 feet and 4,000 feet from sea level, as Mid-country estates, and those above 4,000 feet from sea level, as Up-country estates.

In 1925, the year of Turner's investigation, male, female and child labourers in Sri Lanka earned, on an average, wages amounting, in terms of Indian money, to As. 7-2, As. 4-10 and As. 3-2 a day respectively. The rates of wages then prevailing in those districts in the Madras Presidency, which chiefly supplied labour, were as follows :

District	Men	Women	Children
	As. P.	As. P.	As. P.
Trichinopoly	7-0	4-0	2-6
Tanjore	7 6	5-0	3-0
Salem	6 6	4 0	2-6
Madura	7-0	5-0	3-0
Ramnad	6-0	4-0	2-0
South Arcot	5-6	3-6	2-0
North Arcot &			
Chittur	6-0	4-6	3-0
Chingleput	6-0	4-6	2-6

N. A. of Sri Lanka—Lot 4/442, Despatch 'No. 451, 23. 9. 1926, G. O. No. 1614, 8. 5. 1926, Law (Gen.) Dept.

57 S. E. N. Nicholas, Estate Labour and Legal Guide, Colombo, 1927.

58 Ibid.

59 Ceylon Sessional Paper XXVI, 1941, op. cit.

60 Ibid. Table II.

61 S. E. N. Nicholas, op. cit.

62 Ibid.

63 Central Bank of Ceylon Bulletin, November 1960, Colombo, pp. 11-28. Also Fergusson's Ceylon Directory for 1930, pp. 985-986.

64 Sillara workers were employed in ordinary field-work such as weeding, drainage, road-repairing etc., whereas tappers were employed in tapping rubber trees and in removing the collected latex to the factory.

65 Report of the Agent to the Govt. of India in Ceylon, 1931.

66 N. A. of India—Dept. Edu., H & L, L & O Br., File No. 245-I/32—L & 1932, Delhi Records—2.

67 Ibid.

68 Report of the Agent to the Govt. of India in Ceylon for 1933.

69 Ibid.

70 Ibid.

71 Agent's Report for 1939.

72 Ibid., for 1940.

73 Ibid. Also the Administration Report of the Controller of Labour for 1941—T. N. Archives, G. O. No. 5209 MS, 8, 2, 1943, Public Works Dept.

74 Ceylon Sessional Paper XXVI, 1941, op. cit., Para. 34.

75 Ibid., Para. 36.

76 Ibid., Para. 59. War Bonus was granted to meet the increased cost of living in the wake of the Second World War.

Pence or Head Money was the extra sum which a Kangany was entitled to. The Head Money was granted to the Kangany on the basis of his labourers who actually turned out to work each day. The usual rate was 2 Cents for each such labourer. Thus a Kangany having 10 labourers under him was to get 20 Cents on the day on which all the 10 labourers reported for duty. Head Money has been shown as a source of income to the family of estate labourers, perhaps on the ground that originally the Kangany was also an estate labourer, subsequently promoted to Kanganiship by virtue of his aptitude for leadership.

Extra over pounds paid—Some estate superintendents sent in figures under the heading 'Extra over pounds paid' without any explanation. Income on Rice—An estate was bound to supply a certain quantity of rice to each labourer at a price which was below the maximum price, fixed by agreement with the planters. The difference between the maximum price and the concessional price, at which rice was sold to the labourer, was treated as the labourer's Income on Rice.

Sick Rice—It meant the quantity of rice, given free of cost to a labourer during his illness, on the recommendation of dispenser or medical officer.

Kaddai Dividend—It was a benefit which a labourer enjoyed by virtue of his being a member of Co-operative Societies and Co-operative Stores where he purchased his articles of necessity.

Children's pay referred to the sums given to children as a bonus.

Income from Free rice or Free meals—This refers to the free issue of  $\frac{5}{6}$ th of a bushel of unblended rice of good quality to every male labourer

above 16, and to every widow, resident on the estate and having at least one child, below 10, dependent on her.

77 Regarding the circumstances in which Rent was payable by the labourers see p. 71 above.

78 Agent's Report for 1942

79 Ibid., for 1944,

80 Ibid., for 1945.

81 Congress News (a fortnightly newspaper, published by the Ceylon Workers Congress), 15 October 1973, page 2. The newspaper does not mention the rate admissible to a child labourer. It must obviously have been much less than Rs. 2.81. During my visit to Sri Lanka in 1974, I learnt that on Nuwara Eliya estates the daily rates, as in June 1974, were Rs. 4.76, Rs. 3.86 and Rs. 2.95 for a male, female and child labourer, respectively. Labourers were paid extra for work on Sundays, a male labourer's rate being Rs. 2.43, and the rates of a female and child labourer being half that amount. Normally, I was told, work was offered for 5 days in a week.

82 Ibid., p. 2. Gillard's article was reproduced in this issue of the Congress News by courtesy of the London Observer.

83 'Plantation youth and the economy of Sri Lanka', published by Ceylon Workers' Congress in 1973—Background Paper, p. 5.

84 Ceylon Sessional paper XXVI, 1941, op. cit., Para. 54.

85 Kurumuttu Thiagaraja, 'Indian Coolies in Ceylon Estates', in 'Indian Review', Vol. 18. January-December. 1917, pp. 180-84.

86 Miss Edith Bond, A War on Want investigation op. cit.

87 Out of a total of 2,51,655 housing units, the lines number 2,25,720, occupied by 13,16,130 persons inclusive of 11,70,700 labourers. Vide Socio-Economic Survey of Ceylon, 1967-70, quoted by Miss Edith Bond.

88 N. A. of Sri Lanka—Lot 5/34, Despatch No. 6 Misc., dated 21. 4. 1847, op. cit., p. 218

89 Ibid., p. 220

90 Ceylon Ordinances, Vol. I (1799-1870), pp. 676-683.

91 Ceylon Sessional Paper XXI of 1930

92 N. A. of India—File No. 169-6/34—L & O, K & W., Lands and Overseas, B 1934.

93 Ibid.

94 Ibid.

95 Ibid.

96 Legislative Enactments of Ceylon, Revised edition, 1956, Vol III

97 Report of Marjoribanks and Marakkayar, op. cit. Also Agent's Reports for 1927, 1929, 1930, 1931, 1938

98 N. A. of India—Dept. of Edu. H. & L. Overseas, Progs, B 93-98, Octo. 1924

99 N. A. of Sri Lanka—Lot 4/111 : Enclo. to Despatch No. 138, 17. 6. 1871

100 'A War on Want' investigation into Sri Lanka's tea industry, op. cit.

101 101 The Miscellaneous emigrants, who were non-assisted passengers, included traders, business men, fruit and egg sellers, bungalow gardeners, Rickshaw-pullers, domestic servants, horse-keepers, etc.

102 Ceylon Administration Reports, 1914—Report on the Mandapam camp for 1914

103 Ibid.

104 Ibid.

105 Ibid.

106 The port of Dhanuskodi is not in existence at present. People preferring sea-passage to Sri Lanka now embark at Rameswaram.

107 N. A. of Sri Lanka—Lot 5/34, Despatch No. 6 Misc., 21. 4. 1847, op. cit. Also C. O. 54/241, 27. 7. 1847 According to Tennent, some immigrants on reaching Talaimannar from Dhanuskodi 'made almost a land journey along the line of low islands, shoals and sandbanks which form the imperfect Isthmus between India and Ceylon by the name of Adam's bridge.' Ibid.

108 The Commission was appointed by A. N. Birch, Colonial Secretary, to enquire into the subject of coolie immigration. Vide Ceylon Sessional Paper XXVIII, 1878

109 West Ridgeway, op. cit., p. 100

110 N. A. of Sri Lanka—Lot 5/199 : Enclo. no. 3 to Despatch No. 60 Misc., 28. 2. 1871, from Robinson to Kimberley

111 The distance between Pasalai and Mannar is 9 miles and that between Mannar and Kandy is  $147\frac{1}{2}$  miles, Vide Ceylon Sessional Paper XXVIII, 1878

112 C. O. 54/227 : Enclo. to Despatch No. 72 Misc, 11. 11. 1846, from Campbell to Grey

113 Ibid.

114 Ibid.

115 Ceylon Sessional Paper XXVIII, 1878, op. cit.

116 C. O. 54/241, 27. 7. 1847. Also Lot 5/34, Despatch No. 6, Misc, 21. 4. 1847, op. cit.

117 Ibid.

118 Ibid.

119 T. N. Archives—Pub. Dept, Prog. 9, 4 Feb. 1873

120 Ceylon Sessional Paper XXVIII, 1878

121 Ibid.

122 Lot 5/34, Despatch No. 6 Misc, April 1847, op. cit., p. 213

123 Ibid.

124 Ibid.

125 Ibid.

126 Ibid. Also C. O. 54/241, 27.7. 1847.

127 C. O. 54/235 : Enclo. to Despatch no 6 of 21 April 1847, op. cit.

128 Lot 5/34, Despatch No. 6 Misc., 21 April 1847, op. cit.

129 C. O. 54/367, MacCarthy to Duke of Newcastle, Despatch No. 4, Legislative, 8 January 1862.

130 Ceylon Ordinances, Vol. I (1799-1870), pp. 676-683, op. cit.

131 Michael Roberts, 'The Master-Servant Laws of 1841 and the 1860's and Immigrant labour in Ceylon' in Ceylon Journal of Historical and Social Studies, Vol. 8, Nos. 1 & 2, January-December 1965, p. 35.

132 Revised Edition of the Legislative Enactments of Ceylon (1956), Vol. V, chapter 133.

133 Fergusson's Ceylon Directory of 1939, pp. 1156.

## CHAPTER III

### POPULATION PURSUITS SOCIAL LIFE

When the Indian labourers' immigration into Sri Lanka began in the first half of the 19th century, the Island presented the picture of a country with a heterogenous population, composed of the mutually exclusive Sinhalese, Ceylon Tamils, Moors, Malays, Burghers and Eurasians, Europeans, Afghans and

*Composition of the  
population of Sri  
Lanka*

Baluchis, and Veddas. The element of Indian Tamils was, in course of time, woven into the fabric of the population of Sri Lanka. More than two-thirds of the popu-

lation of the Island are the Sinhalese whose ancestry, as discussed in the introductory chapter, is traditionally traced back to the eponymous hero, Vijaya Singha, who, with his band of 700 followers, landed at Sri Lanka on the day of Lord Buddha's parinirvana. The traditional ancestor of the Sinhalese is generally believed to have brought to Sri Lanka the Aryan culture as also the Aryan dialect which, enriched in vocabulary and modified in structure by later influences, till subsists as the distinctive language of the Sinhalese people.<sup>1</sup> This is Sinhala or Sinhalese, the language of the majority of the population of Sri Lanka. Over 92 per cent of the Sinhalese are Buddhists and the rest are Christians. Among the Christians, again, the Roman Catholics have predominance over the Protestants. The Low-country Sinhalese inhabit the coastal area or the Southern, Western and North-

Western provinces of the country, whereas the Up-country Sinhalese are concentrated mostly in the Kandyan districts. The Up-country Sinhalese are, by tradition, very conservative, their traditional social structure remaining relatively unchanged, whereas their Low-country brethren, being subjected to centuries of western influences, have developed a liberal outlook on life and have gained an economic ascendancy over the former by departing from their traditional social system and adapting themselves to the commercial methods of economic advancement. The population of the Up-country Sinhalese is less than that of the Low-country Sinhalese. If the Up-country Sinhalese comprise about 38 per cent of the total Sinhalese population, the Low-country Sinhalese constitute the remaining 62 per cent. The Sinhalese were followed at their heels by the Ceylon Tamils and, several centuries later, by the Moors. The Ceylon Tamils, also called the Indigenous Tamils, are the descendants of those Tamils who reached Sri Lanka in the wake of the Chola invasions beginning with the rule of the Chola prince, Elara.<sup>2</sup> The Ceylon Tamils ultimately settled in Northern and Eastern provinces which constitute the dry zone of Sri Lanka as opposed to the wet zone, inhabited by the Sinhalese. The largest concentration of the Ceylon Tamils is to be found at Jaffna in the extreme north. The Northern and Eastern provinces are typically Tamil areas, the Ceylon Tamil population forming, according to the Ceylon Census Report for 1921, 94 p. c. of the total population of the former province and about 53 p. c. of that of the latter. The Ceylon Tamils are mostly Hindus, the rest of them being Christians. According to Ceylon Sessional Paper XXII of 1946, of the people living in Eastern and Northern provinces, over 75 p. c. are Tamil-speaking; in each of the North-Central, North-Western, Western, Sabaragamuwa and Southern provinces, over 75 p. c. of the inhabitants are Sinhalese-speaking, while 50 to 60 p. c. of the people of the Central and Uva provinces are also Sinhalese-speaking.<sup>3</sup> In a sense, the Ceylon Tamils are both Ceylonese and Tamils—Ceylonese because they enjoy Ceylonese citizenship, and Tamils because they have cultural affinity to the Tamils of South India. The Ceylon Moors are the descendants of the Arab traders who might have had a very early contact with the coastal zones of Sri

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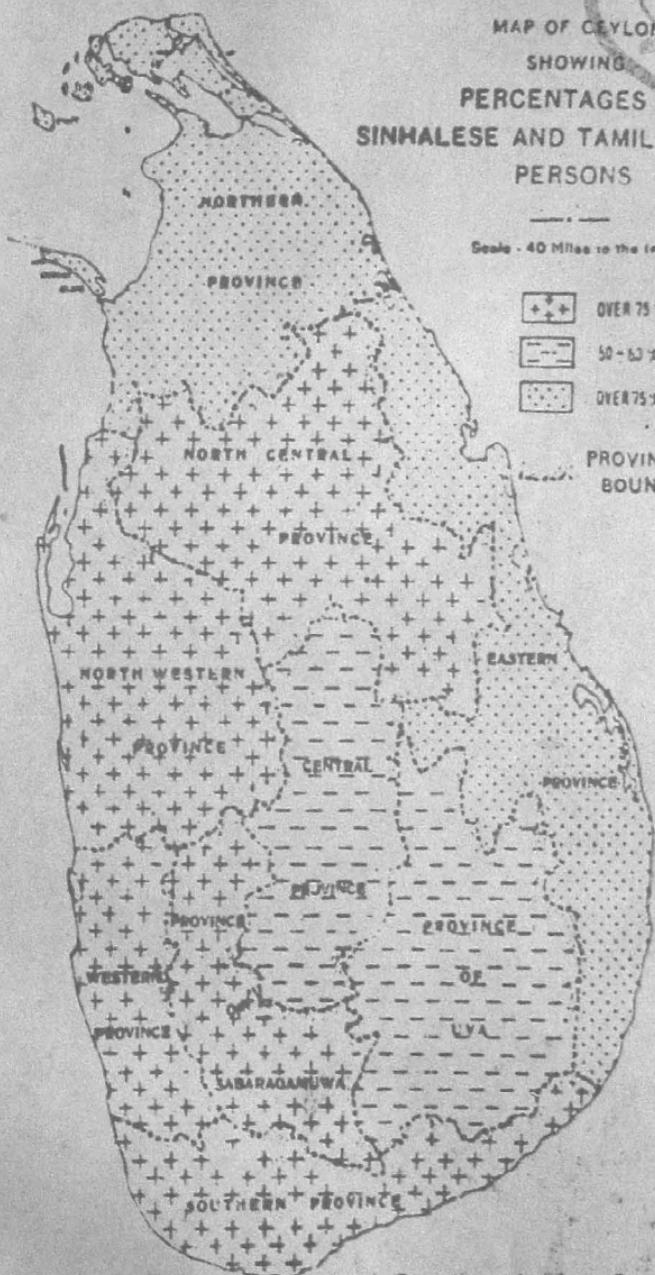
MAP OF CEYLON

SHOWING  
PERCENTAGES OF  
SINHALESE AND TAMIL SPEAKING  
PERSONS

Scale - 40 Miles to the Inch

- + + OVER 75% SINHALESE SPEAKING
- - - 50-69% DO DO
- \* \* OVER 75% TAMIL SPEAKING

PROVINCE  
BOUNDARIES



Source - Ceylon Sessional  
Paper XII, 1946.

Lanka. They are Muslims and constitute about 6 per cent of the total population of the Island. The Ceylon Moors are settled mainly in the Batticaloa district in Eastern province and are engaged in a variety of occupations such as fishing, agriculture and trading. Large numbers of them have continued as traders down to the present day. The trade in jewels and the gem-cutting business are largely in their hands.<sup>4</sup> They speak Sinhalese in the Sinhalese-dominated areas and Tamil in the north and east of the Island. The Moors of Indian origin are a small group of petty traders from the Malabar coast of India. They lend money to the Sinhalese farmers in times of stress at high rates of interest. Some of them also work as domestic servants and plantation-labourers. They speak Tamil and are all Muslims. The Malays form a small community composed of the descendants of the Malay regiment, employed by the Dutch and the British in the Colombo garrison. The majority of them (about 3/5ths, according to the Census of Ceylon for 1946) are to be found in the Colombo area and only a few (2512, according to the same source) in the district of Kandy.<sup>5</sup> Many of the Malays work as labour-supervisors on estates. There is also a Malay fishing-community at Hambantota on the south coast.<sup>6</sup> Muslims by religious persuasion, the Malays wear some form of fez or head gear and sarong which is similar to the Sinhalese dress.<sup>7</sup> The Burghers are the descendants of those Portuguese and Dutch settlers who married in local families. The Burghers are, therefore, of mixed ancestry. They also include the offspring of the union of the British settlers with the Sinhalese, such offspring preferring to call themselves Eurasians or, more recently, Euro-Ceylonese. The Burghers and Eurasians speak English and are Christians in religious faith. Though forming only a minority group with a strength of not more than 0.5 per cent of the total population of the Island, they yielded a great influence under the British rule. Similar influence they cannot expect to enjoy in the existing political and cultural set-up of Sri Lanka. This has prevailed upon many of them to immigrate into Australia and other English-speaking countries of the world. The Europeans or the British people came to Sri Lanka as planters in the 19th century. Their number increased with the growth of the plantations.

tion economy in the British colonial epoch. Since the independence of Sri Lanka their strength has been steadily declining. The majority of those, who still reside in the country are found in Colombo, looking after their financial and commercial interests there. Only 551 Afghans and 51 Baluchis were recorded in the Census of Ceylon for 1946. Obviously, they form a very small Muslim group, found mainly in Colombo. Their main occupation in Sri Lanka, as in India, is to lend money at a high rate of interest.<sup>8</sup> As regards the Veddas, they are generally looked upon as one of the earliest known inhabitants of Sri Lanka and are believed to have migrated to the country originally from South India. Their aggregate population in 1946 was 2,361 as against their total strength of 4,510, shown in the Island's Census Report for 1921. This decrease is suggestive of the gradual absorption of this racial group in the Sinhalese and Tamil races, although some believe that the Veddas still survive in the Uva and Eastern provinces of Sri Lanka.<sup>9</sup>

The above analysis of the composition of the population of Sri Lanka establishes the prevalence of four main religious beliefs among the people of the Island—Buddhism, Hinduism, Christianity and Islam. The comparative strength of the adherents of these four religious faiths would be evident from the Table given below<sup>10</sup>:

TABLE I

Year	Buddhists	Hindus	Christians	Muslims
1871	15,20,575	4,65,944	2,40,051	1,71,542
1881	16,98,070	5,93,630	2,67,977	1,97,775
1891	18,77,043	6,15,932	3,02,127	2,11,995
1901	21,41,404	8,26,826	3,49,239	2,46,118
1911	24,74,170	9,38,260	4,09,168	2,83,631
1921	27,69,805	9,82,073	4,43,400	3,02,532
1946	42,94,932	13,20,352	6,03,235	4,36,556
1953	52,09,439	16,10,561	7,24,461	5,41,506
1963	70,03,287	19,58,394	8,84,949	7,24,043
1971	85,67,570	22,39,310	{ 8,83,111 (Roman Catholics) 1,03,576 (Other Christians)	9,09,941

The Buddhists are the Sinhalese ; the Hindus are the Ceylon and Indian Tamils ; the Muslims belong to the communities of Ceylon Moors, Indian Moors and Malays, while the Burghers and Eurasians as also a minority of the Sinhalese and Tamils profess Christianity of the Roman Catholic and other branches as their religious belief.

The Indians who began to immigrate into Sri Lanka from the first half of the 19th century in the wake of the introduction of the plantation economy into the Island were composed

of two categories of persons—estate labourers and non-estate immigrants. The estate labourers were mostly Tamils, hailing from the Tamil-speaking districts of South India.

**Composition of the population of Indian origin**

A small percentage of the estate labourers, however, arrived also from the territories along the Malabar coast, the Canarese areas and from the Telugu-speaking districts.<sup>11</sup> The non-estate immigrants, also called free immigrants, were commuters between India and Sri Lanka, holding temporary residence permits, and were composed of miscellaneous passengers from the north, south and west India and of the South Indian labourers who were employed otherwise than as estate labourers. The miscellaneous passenger Indians included government officials, medical practitioners, teachers and clerks, as also traders and business men like the Nattukottai Chettiar, the Tuticorin merchants, and the Sindhis, Memons and Borahs of western India. The non-estate labourers earned their living by working as ordinary manual labourers such as domestic servants, dock labourers, and rickshaw-pullers and so on. They were not recruited by the Kangani and were not, therefore, financially assisted out of the Immigration Fund to come to Sri Lanka. Like the miscellaneous passengers, they came on their own initiative and at their own cost. The non-estate workers included Tamils as also the Malayalees who, as estimated by K. P. S. Menon, were 'unrivalled in their efficiency as domestic servants.'<sup>12</sup> Vulgarly referred to as 'Cochins' in Sri Lanka, the Malayalees hailed from Cochin, Malabar and Travancore. The spirit of adventure and the pressure of matrilineal system, which is peculiar to the Malabar society, prevailed upon hundreds of the Malayalees to find their way to Sri Lanka, particularly to the capital city of Colombo, where they were

employed as peons, porters, toddy tappers, domestic servants and as garden coolies.<sup>13</sup> As noted by Menon, the Malayalee labourers in Sri Lanka were rarely accompanied by their womenfolk. Among the 17,127 Malayalees in Colombo in 1931, only 628 were females.<sup>14</sup> They have since dwindled in number and are not now separately enumerated in the Ceylon Census Reports. Like the Borahs, Gujaratis, Memons and Sindhis, the Malayalees and 'Cochins' are at present included in the category of 'others' in the Ceylon Census Reports.<sup>15</sup> The aforesaid non-estate immigrants had been looked upon as Indian nationals,<sup>16</sup> the liabilities of the Government of India, from the beginning of their migration to Sri Lanka. A certain percentage of those whose principal concern was trade and commerce, for instance, the Nattukottai Chettiar, Gujaratis and Sindhis, came, however, to settle permanently in Sri Lanka in course of time and were admitted to the citizenship of the country. Consequently, the Government of India ceased having any responsibility for them. Whether or not the Government of Sri Lanka would assume full responsibility for the Indian estate labourers by admitting them all to the Ceylonese citizenship posed a problem which has been discussed in detail in chapter VI below.

As distinct from the Ceylon Tamils, the Indian Tamils immigrated into Sri Lanka comparatively recently, that is,

**Classification of the Indian Tamils** in the 19th and early 20th centuries from the Tamil-speaking areas of South India, as stated above. They included (a) estate labourers,

(b) non-estate workers as well as (c) traders and business men like the Nattukottai Chettiar. All these three categories of Tamils and their descendants came to be comprehensively known under the name of Indian Tamils. An overwhelming majority of them consisted of the estate labourers, concentrated in the plantation districts such as Kandy, Nuwara Eliya, Badulla, Matale, Ratnapura and Kegalla. The estate labourers were assisted, with advance and passage money, to immigrate into Sri Lanka. Most of them were 'recruited' labourers or labourers recruited by licensed Kangani, the licences being issued by the Controller of Indian Immigrant Labour and countersigned by the Agent to the Government of India. Some of the estate labourers were

'non-recruited', who were composed mainly of the *palaials* or old labourers returning from their short stay in India to the estates, where they had been employed previously, and partly also of those labourers who, for the first time, came to Sri Lanka to join their relatives, already employed on estates. The 'non-recruited' labourers also included voluntary immigrants who applied direct to the Ceylon Emigration Commissioner at Trichinopoly, without having been induced to do so by a Kangany, for an assisted passage to proceed to Sri Lanka to work on estates. In slack seasons, the 'non-recruited' labourers sufficed to maintain the supply of the labour-force required on estates. When the demand grew high, the planters met their demand by sending out licensed employees to their South Indian villages to obtain a supply of labourers from among their friends and relatives willing to undertake estate work. Each licence-holder was permitted to take with him 20 emigrants only, exclusive of their dependants, and thus a large number of licences were issued when the demand for labour rose high. The system of inviting non-recruited labourers held out an assurance to the Indian labourers that they would be offered an employment on estates on their arrival at Sri Lanka from India. The system was based upon the fact that there was a constant return flow of labourers from the estates in Sri Lanka to their South Indian villages and that some 90 p. c. of them were armed with credentials, entitling them to a passage back to their old estates.<sup>17</sup>

The labour-force employed on estates was composed not only of the Indian Tamils but also of other racial groups such as the Low-country Sinhalese, Kandyan Sinhalese, Ceylon Tamils, Ceylon Moors, Indian Moors, Europeans, Burghers and Eurasians, and some unspecified races. But the majority of the estate population was commanded by the Indian Tamils, as would be borne out by the following Table<sup>18</sup>:

Population of the Indian Tamils

TABLE II

Year	No. of Estates	Total estate population of all races	Males	Females	Total Indian Tamil population employed on estates	Males	Females	Percentage of the India Tamil population employed on estates
1871	996	1,23,654	81,362	42,292	1,09,444	72,117	37,327	88.5
1901	1,857	4,41,601	2,46,922	1,94,679	4,36,622	2,67,612	1,69,010	98
1911	1,833	5,13,467	2,78,558	2,34,909	4,40,285	2,34,585	2,05,700	85
1921	2,367	5,68,850	3,00,867	2,67,983	4,93,944	2,55,642	2,38,302	86
1931	3,288	7,89,934	4,16,387	3,73,547	6,92,540	3,57,858	3,34,682	87
1946	—	8,51,359	—	—	6,65,853	—	—	78
1953	—	10,08,653	—	—	8,09,084	—	—	79
1963	—	*11,46,297	—	—	9,43,793	4,79,518	4,64,275	82
1971	—	11,61,611	—	—	9,51,785	—	—	82

The Indian Tamils on estates, it would be evident from Table II, formed a predominant racial group in the total estate population of Sri Lanka. Their overwhelming numerical superiority over other constituent races, employed on estates, will be borne out individually by the following Table<sup>19</sup> :

TABLE III  
ESTATE POPULATION OF DIFFERENT RACIAL GROUPS

	1921	1931	1946	1953	1963	1971
Low-country						
Sinhalese	37,111	50,490	79,946	87,064	87,345	71,626
Kandyans						
Sinhalese	17,468	25,296	53,060	62,825	65,225	50,940
Ceylon						
Tamils	2,716	5,541	33,339	29,682	34,361	71,191
Indian						
Tamils	4,93,944	6,92,540	6,65,853	8,09,084	9,43,793	9,51,785
Ceylon						
Moors	2,300	2,831	5,827	5,128	6,081	6,402
Indian						
Moors	4,214	4,665	4,258	6,211	5,859	6,610
Europeans	2,670	2,814	1,027	1,441	861	—
Burghers &						
Eurasians	2,309	2,031	1,816	1,727	1,444	1,192
Malays	1,483	1,988	1,451	1,556	479	1,121
Veddas	1	—	22	45	—	—
Others	4,904	1,738	4,760	3,890	218	744
Other						
Indians &						
Pakistanis					631	
Total of all						
Races em-						
ployed on						
estates	5,69,118	7,89,934	8,51,359	10,08,653	11,46,297	11,61,611

The population of the two other categories of Indian Tamils, namely the Tamil non-estate workers and the Tamil traders and business men, taken together, was much less than

the population of the Tamil estate labourers, as would be evident from the Table given below<sup>20</sup> :

TABLE IV

Year	Total population of Indian Tamils in Sri Lanka	Total population of Indian Tamils, employed on estates, as shown in Table II above	Population of Indian Tamil non-estate workers, traders and business men, taken together—Result obtained by deducting Col. 3 from Col. 2
Col. 1	Col. 2	Col. 3	Col. 4
1911	5,30,983	4,40,285	90,698
1921	6,02,735	4,93,944	1,08,791
1946	7,80,589	6,65,853	1,14,736
1953	9,74,098	8,09,084	1,65,014
1963	11,22,961	9,43,793	1,79,168
1971	11,95,368	9,51,785	2,43,583

Table III shows *inter alia* the estate population of the Indian Moors in different years. The population of the **Population of the Indian Moors** non-estate workers, traders and money-lenders among them is shown in the Table below<sup>21</sup>.

TABLE V

Year	Total population of Indian Moors in Sri Lanka	Total population of Indian Moors, employed on estates, as shown in Table III	Population of Indian Moors as non-estate workers, traders and money-lenders—Result obtained by deducting Col. 3 from Col. 2
Col. 1	Col. 2	Col. 3	Col. 4
1921	33,026	4,214	28,812
1946	35,624	4,258	31,366
1953	47,462	6,211	41,251
1963	56,913	5,859	51,054
1971	29,416	6,610	22,806

During the early or coffee period of British plantation in Sri Lanka, the Indian estate labourers were only commuters, leaving their villages for the estates when their work was much in demand there, and returning to their village-homes when the planters could not engage them in plantation work. The demand for labour on coffee estates was, in other words, seasonal, the demand reaching its peak during the harvest season, which normally coincided with the period from August to November-December. For the remaining part of the year, coffee plantations required only one-half to one-third of the total labour-force necessary during the peak period. As the slack season of the coffee cultivation set in, the Tamil labourers turned their faces towards South India. Tea cultivation, which took the place of coffee plantation towards the end of the 19th century, however, required a large labour-force throughout the year. With the introduction of tea plantation, therefore, instead of seasonal arrivals, a trend towards permanent or semi-permanent settlement of the Tamil labourers began to show itself. But, as before, they made periodic visits to South India and returned to Sri Lanka after a few months' sojourn at their village-homes. Occasionally, new recruits arrived at Sri Lanka for the first time. Sometimes, again, the estate labourers' close relatives came to the Island to stay with them for a stretch of time. Traders and business men also commuted between India and Sri Lanka, as and when necessary.

From the late 1830's, the trickle of Indian labour flowing into the coffee plantations gradually began to develop into a stream which, however, had its both ebb and tide. There were arrivals in hundreds and thousands, offset by their departures of no small magnitude. The excess of the arrivals over those who departed in each wave of migration ultimately came to supply the basis of a permanent Indian estate population in Sri Lanka.

As early as 1837, 10,000 labourers reached the coffee estates. Coffee cultivation proving lucrative, more and more acreages of land were brought under it in the successive years. Dr. Silva cites 26,429 $\frac{1}{4}$  acres of land under coffee cultivation in 1845 and 52,722 $\frac{1}{2}$  acres, in 1847.<sup>22</sup> In 1845, 67,278 immigrant labourers were available for the cultivation of

coffee but, in 1846, their number dropped to 34,971,<sup>23</sup> with the result that the planters experienced an acute shortage of

**Statistics of the  
Indian estates  
labourers and free  
immigrants who  
arrived from Sri  
Lanka annually**

labour in the year. Tennent ascribed this shortage to such causes as a highly encouraging season for the cultivation of rice in South India, heavy rains and tempestuous weather interfering with the short

passage from the Indian coast to Tallaimannar, and, above all, the planters' failure 'to manifest a becoming regard for the personal treatment of the coolies and a proper punctuality in the payment of their wages.'<sup>24</sup> Tennent, in fact, emphasised the planters' ill-treatment and habitual neglect of the labourers as the fundamental cause of the labour-shortage in 1846. He, however, ignored the impact of cholera which broke out in an epidemic form in Sri Lanka in 1845, taking a heavy toll of the labour-force on estates. Scared and panic-stricken, many, no doubt, hurried back to their village-homes but they returned on being assured that the epidemic had subsided and that the estates and the lines had returned to a healthy climate.

The year 1847 saw some improvement in the supply of labour. In that year, 46,140 labourers arrived and 5,897 departed, the excess of arrivals over those who departed being, therefore, 40,243 as against 28,484 (42,317-13,833) in the previous year.<sup>25</sup> But among the arrivals in 1847, many came to Kandy quite early in the season, in expectation of work on the coffee estates, only to court disappointment, because the planters were at a loss how to provide them with employment on estates out of season, with the result that they were stranded on the high road of Kandy. Numbers of them died eventually.<sup>26</sup> It was then apprehended that the reports of the sufferings of the labourers might produce a deterrent effect upon the normal arrival of labourers, which might cause labour-deficiency during the picking season.<sup>27</sup> The apprehension did not, however, prove to be true. Some of the labourers, who had arrived sufficiently ahead of the crop-season, were temporarily employed by Torrington, Tennent's successor as the Governor of Sri Lanka, in draining the Lower Kandy Lake on small daily wages which they received every evening. They could or could not come back to the same work the next day, as they pleased.<sup>28</sup>

The Kandyan disturbances of 1848<sup>29</sup> affected the normal labour supply, no doubt, the excess of arrivals over those who left Sri Lanka in the year being only 9,492 (32,172-22,680) as against 40,243 in the previous year.<sup>30</sup> As Torrington wrote to Grey on 15 August 1848, 'a vast number of coolies left the estates with considerable sums, due to them as wages, unpaid. The Superintendents have, in many instances, been sued before the courts but (they) pleaded that they were themselves unpaid and were quite unable to pay the labourers. I have addressed a request to the Governor of Madras that he would be good enough to cause notices to be issued and to be distributed throughout all those districts from which the coolies come to dispel the fears of the natives and to assure them that no danger need be apprehended. I feel persuaded that the coolies will not, in any considerable numbers, be deterred from going to Kandy. Instead of striking along the high road from Anuradhapura or turning off by Puttalam through Kurunegala, it appears that they are taking the line by the sea-coast and will then follow up the main road from Colombo to Kandy. I confess that it strikes me with some surprise that many of the merchants of Colombo, instead of using their utmost efforts to encourage the coolies and dispel their fears, are acting in a manner calculated to create the very panic, which they profess to dread, by spreading false reports of the flight and terror of the coolies.<sup>31</sup> The official view was that the labour-supply in 1848 was affected not so much by the Kandyan disturbances as by the non-payment of wages to the labourers, as would be evident from Torrington's despatch No. 52 Misc. of 13 April 1849: '...In no instance, in which the coolies were well treated, regularly paid, and encouraged, did they misbehave themselves. I have abundant proofs to show that the coolies were obliged to leave estates in many instances because they could not get their wages paid. Gangs of coolies came to the Court of the Police Magistrate of Kandy, praying for redress and stating that they had not received their wages for six months.<sup>32</sup> As testified to by Lock Band Dunuwille, Superintendent of police, Kandy, 'During the times of Rebellion (of 1848) I understood, the coolies on the estates behaved most excellently well; they did not run away; many of them behaved with great courage and protected their masters'

property.<sup>33</sup> Continuing further Dunuwille wrote: 'In no instance did a newly arrived coolie tell me that others had been prevented from coming over by the fear of the disturbed state of the country. Fewer coolies than usual came over last year but in no instance was the insurrection mentioned as a cause of their not coming.'<sup>34</sup>

The years following 1848 saw the continuance of the arrivals and departures of labourers, the excess of the arrivals over those who departed varying from year to year. During the period of 29 years from 1849 to 1877, 20,90,701 labourers arrived by land-route, while 14,42,082 labourers departed, leaving an excess of 6,48,619 behind.<sup>35</sup> The years 1876 and 1877, which were the years of famine in South India, witnessed the maximum arrival of labourers, 1,64,797 labourers arriving in 1876 and 1,28,728, in 1877. It was not exactly, however, the impact of famine which caused this heavy influx of labourers in 1876 and 1877. Those were the years of speculation in coffee plantation in Sri Lanka. It was this speculation in coffee which occasioned the huge influx.<sup>36</sup> But the speculation gave way to disappointment, as the coffee cultivation suffered a serious set-back soon after and finally declined and decayed between 1881 and 1886. This had a deterrent effect on the flow of labour-immigration which began to ebb. That the stream of immigration became lean after the speculation had ended in failure would be borne out by the reduced immigration figures of the years following 1881. If in the decade from 1871 to 1880, the latter part of which had seen the climax in the speculation in coffee, 10,22,338 estate labourers arrived, in the next decade from 1881 to 1890, when the speculation failed, the number of arrivals had fallen to 5,74,952. The number of the estate labourers, who departed in the former decade, was 8,21,332, and in the latter decade, 5,20,409.<sup>37</sup>

Between 1878 and 1881 there arrived at the port of Colombo by sea-passage 1,16,215<sup>38</sup> immigrants, a large number of whom belonging to the community of traders and petty merchants necessarily followed commercial pursuits. Of the rest, some found employment in the Railway, Police and other departments and some were employed as domestic servants, cooks, house-keepers, grass-cutters etc.<sup>39</sup>

As recorded by Ridgeway, during the period between

1896 and 1902, 5,49,387 estate labourers arrived at Sri Lanka and 6,85,025 left for India. In addition, 1,14,840 miscellaneous labourers and 2,68,847 traders etc. arrived at the Island.<sup>40</sup> During the 10 years from 1908 to 1917, 95,573 immigrants arrived and 65,521 departed on an average per year.<sup>41</sup> Between 1918 and 1922, 3,05,567 estate labourers and 3,83,201 miscellaneous passengers, including a few thousand traders, entered Sri Lanka, as against about 5,55,552 persons who left for India.<sup>42</sup> Between 1923 and 1938, 31,45,850 immigrants reached Sri Lanka by following the Mandapam—Tallaimannar and Tuticorin-Colombo routes via Mandapam and Tataparai camps respectively, as against 28,21,669 persons who departed from the Island, as would be borne out by the following Table:<sup>43</sup>

TABLE VI

THOSE WHO ARRIVED AT SRI LANKA  
From 1923 to 1938

Estate labourers		Total No. of the estate labourers	Total No. of non-estate labourers and other free immigrants	Grand Total
Palaials or old arrivals	Puthals or new arrivals			
7,97,398	6,38,577	14,35,975	17,09,875	31,45,850

THOSE WHO DEPARTED FROM SRI LANKA  
From 1923 to 1938

Estate labourers	Non-estate labourers and other free immigrants	Grand Total
10,00,718	18,20,951	28,21,669

During the same period, the highest figure of the arrivals, namely 1,59,398, was recorded in 1927.<sup>44</sup> Thereafter the immigration steadily declined till, in 1933, its volume was only about one-fifth of the volume as in 1927. This decline in immigration was attributed to the depression in

the rubber industry, which first made itself felt in 1930 and grew worse in the following two or three years. In his D. O. letter No. 22/30 of 7 August 1930 to Ram Chandra, Joint Secretary to the Government of India, Department of Education, Health and Land, K. P. S. Menon dwelt on the anxiety of the planters due to the prevailing depression in the rubber industry.<sup>45</sup> The labourers employed on the rubber estates came for some time to be looked upon by the rubber planters as an 'inconvenient dead-weight' upon them.<sup>46</sup> The depression spread also to the tea industry which employed a much larger number of Indian labourers than the rubber industry. Severe unemployment followed in consequence. To meet the situation thus arising out of the slump, temporary though, in the rubber and tea industries, all labourers for whom work on adequate wages could not be found on estates were repatriated at the cost of the planters. With the welcome improvement in the prices of rubber and tea during the early part of 1934, the recruitment of Indian labour again began to grow in volume. In 1934, for instance, the immigrants numbered 1,40,607 as against only 32,898 in the previous year.<sup>47</sup> This heavy recruitment in 1934, however, resulted in an excess of labourers over the requirements of the planters, with the result that, by August 1934, the owners of estates were not in a position to offer 6 days' work a week to all their labourers. The development of an abnormal situation was also apprehended. The planters, accordingly, decided to suspend recruitment for some time. All outstanding licences, issued prior to 1 October 1934, were, in accordance with the decision, cancelled. Some estates were even closed down in the course of the year 1935, and the recruitment during the year was practically at a standstill.<sup>48</sup> Out of 43,018 labour-immigrants in 1935, only 6,021 were Puthals or new arrivals, the balance, namely 36,997, representing Palaials or old arrivals, who were non-recruited labourers.<sup>49</sup> In each of the next three years also (1936 to 1938), the non-recruited labourers commanded the majority of the total annual arrivals, as would be testified to by the following Table:<sup>50</sup>

TABLE VII

	Old arrivals or non-recruited labourers	New arrivals or recruited labourers	Total
1936	35,832	4,971	40,803
1937	42,216	9,211	51,427
1938	41,008	6,202	47,210

The year 1939 saw the imposition of a ban on the immigration of unskilled labourers from South India to Sri Lanka. But the wives, minor children and dependent non-working parents of the labourers, already employed in Sri Lanka, were declared exempt, by a subsequent notification, from the operation of the ban. They could, therefore, join such labourers in Sri Lanka without let or hindrance. There were, besides, cases of illicit immigration of the labourers, as also cases of the evasion of the ban. The result was that, even after the imposition of the ban, both old and new arrivals continued coming over to Sri Lanka, though, compared with the old arrivals, the new arrivals were very lean in strength, as would be borne out by the following Table <sup>51</sup> :

TABLE VIII

## THOSE WHO ARRIVED AT SRI LANKA FROM 1939 TO 1951

Old arrivals or Palaials	New arrivals or Puthals	Estate labourers	Total No. of Estate non-estate	Total No. of labourers	Grand Total
			labourers	and other free immigrants	
5,32,686	27,235	5,59,921	14,11,118	19,71,039	

In fact, during the entire period from 1923 to 1951, the total number of old arrivals far exceeded that of the new arrivals. From 1939 to 1951, 20,54,722 persons (6,53,029 Estate labourers plus 14,01,639 others) left Sri Lanka for

India.<sup>52</sup> The number of arrivals gradually declined after 1951, as the figures in the following Table would show<sup>53</sup> :

TABLE IX

Year	The number of Estate labourers who arrived	The number of Estate labourers who departed
1952	57,247	58,132
1953	41,921	45,963
1956	2,363	4,608
1957	1,072	4,849
1958	94	1,412
1959	36	1,551
1960	4	259
1961	4	113
1961-62	1	32

The Shastri-Bandaranaike Pact of 1964 set a seal to the movement of estate labourers between India and Sri Lanka. The Pact closed an old chapter and opened a new one, the new chapter requiring the repatriation of those persons of Indian origin not to be admitted to the citizenship of Sri Lanka.

The Tamil estate labourers whose arrivals and departures have been highlighted in the preceding paragraphs belong to diverse social classes, high and low, not castes proper but

loosely so called. A percentage of them belongs to the high Vellala social class, the counterpart of the Sinhalese Goigama, whose social respectability is derived from

the ownership of land. The rest or majority of the estate labourers belong to the low or depressed classes of different strata. The depressed classes, collectively called the Adi Dravida, initially contributed half the strength of the Tamil estate labourers and later on, normally not less than a third.

The social classes to which the Tamil estate labourers belong have been listed below in a tabular form<sup>54</sup>:

TABLE X

Main and allied social classes	South Indian districts they hail from	Nature of occupations followed in the ancestral land
1. Adi Dravida, Pallar and Paraya, collectively known as Adi Dravida	Trichy, Tanjore, Madura, Tinnevelly, Salem, Coimbatore, North Arcot, South Arcot, Chingleput	Agriculture; ploughing; sowing and weeding. The Pallars do certain village duties such as external decoration of temples on festive occasions. The Parayas perform village menial services such as scavenging, the disposal of dead cattle; they also run errands at death, drum at funeral processions and cremate or bury dead bodies.
2. Agambadia	All Tamil districts	Cultivation
3. Ambalakara, otherwise known as Muthurasa	Trichy, Tanjore, Madura, Salem, Pudukkottai	Cultivation; the work of village watchmen; petty trading; masonry
4. Asari	Almost all Tamil districts	Carpentry; the professions of blacksmiths and goldsmiths.
5. Barber	Almost all districts of South India	Hair-dressing and shaving.
6. Chetty	Salem, Trichy, Coimbatore	Trading; the occupation of oil-mongers.

Main and allied social classes	South Indian districts they hail from	Nature of occupations followed in the ancestral land
7. Dhoby (Vannan)	All parts of South India	Washing clothes.
8. Edaya	Trichy, Salem, Coimbatore, Madura, Tanjore, Tinnevelly	Looking after cattle at pasture ; milk-selling.
9. Irula or Veda	Salem, Coimbatore, Chingleput, Madura	Game-hunting ; basket-making ; firewood-collection.
10. Kalla, Maravar	Tanjore, Trichy, Madura, Pudukkottai, Ramnad, Tinnevelly	At one time robbing and cattle-lifting ; now cultivation.
11. Kannadia	Originally of Mysore, now found in Madras, Chingleput, North and South Arcot	Cultivation ; cattle-breeding ; dairying
12. Kavunden, Malayalee, (Malayalee Muslims were called Moplahs), Nair	Salem, Trichy, Coimbatore, Malabar	Cultivation ; tending sheep ; earning livelihood as artisans and oil-mongers.
13. Korava	Salem, Trichy, Madura, Ramnad, Tinnevelly	Minor game-hunting ; the pruning of palm-trees ; basket-making ; mat-weaving.
14. Mudali	Salem, Trichy, Coimbatore	Playing on a pipe ; weaving.

Main and allied social classes	South Indian districts they hail from	Nature of occupations followed in the ancestral land
15. Nadar	Coimbatore, Salem, Trichy, Madura, Ramnad, Tinnevelly	Toddy-tapping ; trading.
16. Naicker	Madras, Tanjore, Trichy, Madura, Pudukottai, Ramnad, Salem, Coimbatore, Tinnevelly	Cultivation ; the sale of glass-bangles.
17. Odayar	Trichy, Salem, Tanjore	Cultivation, land-ownership.
18. Padayachi, Vannia	Trichy, Tanjore, Madura, Coimbatore, Salem, North and South Arcot, Chingleput	Cultivation and land-holding ; trading ; earning livelihood as artisans ; living by manual labour.
19. Pandaram	Salem, Trichy, Madura	Earning livelihood as helping-hands to temple priests and as priests of the depressed classes in their social functions.
20. Reddi	Salem, Trichy	Cultivation ; land-ownership.
21. Sakkilia	Trichy, Tanjore, Madura, Salem, Coimbatore	The profession of cobblers ; work on hides ; crude tanning ; chiefly making leather receptacles for bailing water in well-fed areas ; field-work.
22. Vellala	All Tamil districts	Cultivation ; trading

The labourers belonging to the depressed classes, included in the above list, are the most numerous in the Tamil estate labour-force. Only the Adi-dravida, Agambadia, Ambalakara, Kalla and Padayachi classes jointly command the majority of the Tamil estate-labourers, while the Adi-Dravida group constitutes the largest single depressed class, as the following statistics would establish:<sup>55</sup>

TABLE XI

Col. 1 Year	Col. 2 Total No. of Tamil estate labourers who passed through Mandapam Camp	Col. 3 Total No. of Adi-Dravida immigrants through Mandapam Camp	Col. 4 Total No. of Agambadia immigrants through Mandapam Camp	
1927	1,59,398	56,810	7,416	
1928	1,33,712	47,039	6,120	
1929	1,05,095	35,130	3,764	
1930	91,422	30,977	4,015	
1931	68,337	23,496	3,437	
1932	50,869	15,943	2,184	
1933	32,898	9,857	1,191	
1934	1,40,607	50,876	4,420	
Col. 5 Total No. of Ambalakara immigrants through Mandapam Camp	Col. 6 Total No. of Kalla immigrants through Mandapam Camp	Col. 7 Total No. of Padayachi immigrants through Mandapam Camp	Col. 8 Total of cols. 3-7 or total No. of the five depressed classes who passed through Mandapam Camp	
1927	24,819	6,133	4,019	99,197
1928	25,832	6,038	3,202	88,231
1929	15,240	3,391	3,220	60,745
1930	11,956	2,965	2,674	52,587
1931	10,950	2,432	1,835	42,150
1932	8,811	1,746	1,499	30,183
1933	6,401	1,091	924	19,464
1934	22,042	4,623	4,648	86,609

Among the high-caste Tamil estate labourers, the Vellalas command the majority but they, in comparison with the low-caste Adi-Dravidas and Ambalakaras, rank next in numerical strength, as would be borne out by the following Table,<sup>56</sup> read with Table XI.

TABLE XII

Year	No. of Vellalas who passed through the Mandapam Camp into Sri Lanka
1927	11,814
1928	10,084
1929	11,165
1930	10,955
1931	7,135
1932	6,064
1933	4,153
1934	11,446

The Tamil labourers are not so caste-conscious while on estates in Sri Lanka as they are when in their villages in South India. This is corroborated by G. F. Paddison who, as the Commissioner of Labour, Madras, wrote in 1923: 'For all practical purposes, caste ceases across the sea, and these men, when they return, have an entirely different outlook on life.'<sup>57</sup> With twenty years' experience as a Sinhalese planter in the districts of Pussilava, Hewahette and Rambodde, William Sabonadiere, giving his own impression of casteism among the Tamil estate labourers, wrote that, though high-caste labourers could not be persuaded to use the same cooking utensils or inhabit the same room along with the others of low caste, they would nevertheless live under the same roof, would stand near each other at muster and in the field, and would fraternize with one another 'to an extent they would not admit of in their own country'.<sup>58</sup> Continuing further, Sabonadiere wrote: 'I have even known cases of high-caste men cohabiting with low-caste women, for which breach, I believe, they have sundry penances to perform and gifts to offer in the Ramissaram temple, but they cannot marry a low-caste woman without being totally excommunicated and cast out.'<sup>59</sup>

Many and varied have been the pursuits and occupations of the Indian immigrants in Sri Lanka, the occupational

fields of the estate labourers, non-estate workers and of miscellaneous passengers being normally exclusive of one another. The exclusive occupation of the estate labourers has been their work on plantations, mainly coffee (so long as it was under cultivation), tea and rubber. While the

**Pursuits and occupations of the Indian immigrants**

male labourers are occupied with pruning tea-leaves, tapping latex, work in the tea and rubber factories, weeding, the clearing of drains, digging pits and with the maintenance of estate roads, the female labourers have to pluck tea-leaves, tap latex chiefly on the Low-country estates, to sort tea-leaves in the tea factories and to do light earthwork.<sup>60</sup> Some of the witnesses, examined by Jackson in 1936,<sup>61</sup> bore evidences of the occasional overflow from the stream of estate labour to non-estate labour. According to such witnesses, unskilled and casual labour in Colombo, particularly in Colombo harbour, was largely composed of labourers who had previously entered the Island as estate labourers but who subsequently left their estate employment, for whatever reasons, in favour of the occupations normally meant for non-estate labourers. Jackson, however, reported that whatever overflow had occurred under exceptional circumstances in the past, there was no such overflow at the time of his enquiry. In his Report on Labour conditions in Ceylon, submitted in 1943, Major Browne also admitted the fact of infiltration of estate labourers into the field of occupations of the non-estate labourers, though to a small extent.<sup>62</sup> That such infiltration had taken place even in the latter part of the 19th century will be evident from Gregory's (Governor of Sri Lanka in 1872) correspondence with Earl Kimberley (Secretary of State for Colonies): '...Although the planters import a certain number of labourers annually, it would not be possible for them to specify how many they may require during the course of the year. In some places, there are unexpected variations in the time of crop, and one planter lends his coolies to another and, during the slack season, large numbers are handed over to the Public Works Department for the repair of old roads or for the construction of new ones.'<sup>63</sup> During the period from 1901 to 1907, as many as 1,13,643 estate labourers were borrowed by the Public Works and Railway Departments, as detailed below<sup>64</sup>:

TABLE XIII

Estate labourers borrowed by the Public Works Department	1901	1902	1903	1904	1905	1906	1907	Total	Amount paid for labour borrowed	
	Rs.	Cents								
Western Province		75				21		96	38	40
Central Province	4,648	12,470	6,750	7,398	12,368	20,175	21,651	85,460	34,114	29
Uva	45	362	941	533	1,479	2,664	2,463	8,487	3,386	49
Sabaragamuwa	86	86	156	3,640	86	1,528	3,126	8,708	3,516	25
								1,02,751	41,055	43
Estate labourers borrowed by the Railway Department	—	—	2,804	—	1,941	4,274	1,873	10,892	6,029	2
Grand Total for P.W.D. and Railway Departments: 1,13,643								47,084	45	

By far the largest number of the Indian estate labourers (about  $\frac{2}{3}$ ths. of their total strength, according to Jackson) were employed on the tea and rubber estates, those engaged on the tea estates being, however, more numerous than those employed on the rubber estates. In 1921, for instance, there were 2,92,403 Indian labourers on the tea estates as against 77,619 on the rubber estates.<sup>65</sup> The Indian labourers employed on the tea and rubber estates in 1948 were 4,06,529 and 51,002 strong respectively whereas those employed on the tea and rubber estates in 1949 were 4,01,420 and 43,961 in strength respectively,<sup>66</sup> in each instance the estate labourers of Indian origin on the tea estates being much more numerous than their counterparts on the rubber estates. Again, from 1940 to 1947, the labourers of Indian origin employed on the tea and rubber estates jointly commanded a much greater strength than their non-Indian counterparts, as would be evident from the following Table<sup>67</sup> :

TABLE XIV

Year	Indian labourers on Tea and Rubber estates		TOTAL	Non-Indian labour- ers on Tea and Rubber estates		TOTAL
	Resident	Non- Resident		Resident	Non- Resident	
1940	4,58,237	702	4,58,939	41,090	55,891	96,981
1941	4,56,550	993	4,57,543	42,541	57,468	1,00,009
1942	4,48,344	567	4,48,911	51,544	68,212	1,19,756
1943	4,47,706	1,116	4,48,822	47,169	78,697	1,25,866
1944	4,48,106	947	4,49,053	48,586	81,932	1,30,518
1945	4,46,805	1,354	4,58,159	49,400	84,512	1,33,912
1946	4,57,722	740	4,58,462	49,825	89,354	1,39,179
1947	4,56,388	639	4,57,027	48,244	88,267	1,36,511

Normally, the children of Indian estate labourers grew up to find employment on estates, thus maintaining the tradition of the estate-life of their parents. But there are instances of the labourers' descendants who have abandoned their paternal occupation and taken to the professions of traders, boutique-keepers, motor-transport owners and even of teachers and lecturers.

While the estate labourers' occupations were limited mainly to the work connected with plantations, the occupations of the non-estate labourers were varied, covering a wider range from the employment as domestic servants to the employment as daily-paid labourers in government departments. The Indian labourers, who reached Sri Lanka in 1821 as members of the Pioneer Labour Force, were non-estate labourers inasmuch as they were employed not in work on estates, but in the construction of roads and bridges and in irrigation work. The Force was expensive to maintain. Passing from military to civil control in 1852, it gradually diminished in strength until the last group of 22 men, employed by the Public Works Department, finally passed under the Irrigation Department.<sup>68</sup> Long after the Pioneer Force had lost its importance, the Public Works Department continued to rely very largely on Indian labour.

The non-estate labourers of Indian descent included manual workers, variously employed as domestic servants, porters, rickshaw-pullers, workers in factories, workshops and warehouses, also as workers on roads and the like. Scavenging was done invariably by the labourers of Indian origin.<sup>69</sup> The Indian Agent, Ranganathan, mentioned in his Report for 1923 that domestic servants in the city of Colombo were of Indian descent until recently.<sup>70</sup> The Indian Agent reported further, in this connection, in 1923: 'In this kind of service, it may be said that the Indians have almost displaced the Sinhalese. This speaks well of the reputation earned by the Indian domestic servants of whom the greatest number come from Malabar.'<sup>71</sup> The witnesses, examined by Jackson in 1936, deplored that the Sinhalese domestic servants had been 'unfairly' displaced by the domestic servants of Indian ancestry. The witnesses, however, held that the problem was confined wholly to Colombo and that elsewhere on the Island the non-Ceylonese domestic servants were rarely found.<sup>72</sup> The Indian labourers offering themselves as domestic servants were also engaged as hotel boys. In his aforesaid Report for 1923, Ranganathan mentioned 4,500 rickshaw-pullers in the city of Colombo alone, of whom about 4,000 were South Indians, mostly Maravars and some Nadars. Of the two types of rickshaw-pullers referred to by him, one pulled rickshaws, owned by others, on the basis of a monthly

remuneration which varied from 15 to 20 rupees, while the other type hired rickshaws from a contractor for 12 to 17 rupees per month. "My personal enquiries," wrote Ranganathan in his Report for 1923, "show that on an average a rickshaw-man saves about Rs. 150 per annum."<sup>73</sup> The number of rickshaws tended to decline with the increase in the number of cars, bicycles and other forms of modern transport. The reason, assigned by some Ceylonese witnesses, examined by Jackson, for the predominance of Indians in the occupation of rickshaw-pulling was undercutting in fare on the part of Indian rickshaw-pullers. But the reason does not appear to be convincing as the fares were fixed by regulations and were declared in notices, compulsorily displayed on rickshaws. The explanation, given to Jackson by some other Ceylonese witnesses, was that the Sinhalese rickshaw-puller generally demanded more than the authorized fare and 'argued noisily over the fare given.' Jackson's verdict was that the Indian rickshaw-puller's charging less than his fare due was 'very unlikely' and that 'he properly gained his customer, because the passenger, of whatever race, found him easier to deal with.'<sup>74</sup>

In the handling of cargoes at the port of Colombo, the Indian labourers were formerly represented in large numbers. The great majority of the workers employed in coaling ships and in unloading coal on the shore were of Indian origin. On the handling of cargoes on board ship at the Colombo port by the Indian labourers, Jackson wrote in his Report : 'Evidence given to me, which I accepted, was to the effect that the Sinhalese, employed in the handling of cargo on board ship, avoid, if they can, the movement of heavy goods in the hold over any considerable distance to the ship's slings and that they are not as efficient as the Indians either in the slinging of difficult cargo such as steel girders or in the stowing of cargo in the ship's hold. Indeed, this latter branch of the work has for many years been exclusively in the hands of a particular community of Indians, the Parawas.'<sup>75</sup> Inland cargoes such as bags of rice and sugar were unloaded from a ship by the Tamil labourers who used to carry them from the quayside to the warehouses. Sinhalese labourers never offered themselves for this type of work within the memory of any of the witnesses examined by Jackson.<sup>76</sup>

In the city of Colombo, the Indian non-estate labourers found employment not merely as domestic servants, as mentioned above, but also in such other capacities as latrine cleaners and workers connected with mechanical and non-mechanical transport.

A fairly large number of Tamil labourers were formerly employed under the Public Works Department, Municipalities, and Urban District Councils. Out of 11,765 workers in the employ of the Public Works Department in 1936, 7,540 were the Ceylonese and the rest, that is, 4,225 were the non-Ceylonese. The non-Ceylonese workers were almost all Indains,<sup>77</sup> representing about 36 per cent of the total strength of P.W.D. workers. In 1930-31, they stood at just under 47 per cent of the total strength.<sup>78</sup> It follows, therefore, that between 1930-31 and 1936 the proportion of Indian to Ceylonese workers in the Public Works Department decreased, the decrease being specially noticeable in skilled labour in which the Ceylonese commanded a greater strength. The Public Works Department nonetheless owed a great deal to the services of the Indian labourers. Municipalities and Urban District Councils owed no less to the labourers of Indian origin who were employed in the construction, maintenance and cleaning of roads and drains, in taking care of public parks and gardens, and in the supply of water in urban areas. For the conservancy and scavenging services, the Indian labourers were considered indispensable. In the municipal services and, in fact, in services in general in Sri Lanka, the present official policy has, however, been to prefer the Sinhalese to the Indian labourers. In the Railway Department, the majority of the unskilled labourers have been Sinhalese. When Jackson held his enquiry in 1936, the Ceylon Government Railway Department had in its employ 10,500 unskilled labourers and 1,700 incumbents in clerical and superior posts. That the clerical and superior posts included no sufficient number of Indian immigrants would be quite understandable. Out of 10,500 unskilled labourers, 7,400 were Sinhalese, 1,450 were Malayalees and the rest or 1,650 were Indians. Again, out of 1,650 Indian labourers, about 1,500 were employed in the Way and Works branch of the Railway Department and the rest found employment in the workshops at Ratmalana and in the transportation branch

of the Department.<sup>79</sup> Ninety per cent of the skilled workers in the Railway Department have always been the Sinhalese. A change in the government policy towards the recruitment of unskilled labourers for the Railway Department was felt necessary so as to ensure that like the skilled labourers, the unskilled labourers also could command majority among the Sinhalese. Since about 1933, therefore, the Railway Department had 'strictly,' followed the government policy of giving preference to the Sinhalese labourers while engaging 'new hands, if suitable Sinhalese labourers were available. This changed government policy of preferring the Sinhalese to Indian labourers and the greater readiness on the part of Sinhalese labourers to offer themselves for the work of unskilled nature, to which they had been formerly averse, were the two main reasons for the decreasing strength of Indian unskilled labourers in the Ceylon Railway Department. In 1936, out of 42,000 workers in all the Government Departments, taken together, there were only 11,000 Indian workers, and out of 22,500 workers, employed in Railway and Public Works Departments, the Indian workers numbered only 7,300.<sup>80</sup> According to a statement, made in 1951 by Major T.F. Jayewardene in the Ceylon Legislative Council, out of the total number of 22,523 workers (Sinhalese and non-Sinhalese), employed in the Railway and Public Works Departments in 1939, there were 15,179 Sinhalese and only 7,344 non-Sinhalese.<sup>81</sup>

Indian workers found employment in Government Departments as daily-paid hands. But early in March 1939, the Ministry of Communications and Works made a proposal for the discontinuance of the system of employing Indian workers on the basis of the daily payment of wages with a view to replacing them by the 'Ceylonese' towards relieving unemployment among the latter.<sup>82</sup> The term 'Ceylonese' was defined in the proposal as 'a person born in Ceylon.' It was estimated that the implementation of the proposal would lead to the dismissal of about 6,000 Indian employees working under the Ministry of Communications and Works alone and of about 8,500 Indian hands in all. Ultimately, the Ceylonese Government modified the original proposal thus:<sup>83</sup> (1) 'Non-Ceylonese daily-paid workers in Government Departments who had been employed by Government after 31 March 1934 were to

be compulsorily discharged from service on 1 August 1939 and, in the event of their return to India, they would be given free tickets and a bonus of a month's pay which was to be paid to them in India'; (2) 'other non-Ceylonese daily-paid workers who had been taken into service before 1 April 1934 were given the option to retire voluntarily before 31 December 1939 with free passage to India and gratuities varying according to the length of service, to be paid in India.' If the offer of voluntary retirement scheme were not taken advantage of by the latter class of non-Ceylonese daily-paid employees by 31 December 1939, they would run the risk of being retrenched without gratuity or free repatriation. Despite the Government of India's request not to implement the above scheme, the Ceylonese Government put it into effect in 1939. The Government of India was informed that 'the action was taken in view of the growing unemployment among the permanent inhabitants of Ceylon and of the inevitability of retrenchment next year.'

The implementation of the scheme for the discontinuance of the employment of Indian workers as daily-paid employees in Government Departments had its repercussion on Municipalities and other quasi-government and private bodies employing Indian labour.<sup>84</sup> The Colombo Municipal Council, for instance, moved a resolution 'urging the replacement of non-Ceylonese daily-paid hands in its services by the Ceylonese.' Most of the non-Ceylonese daily-paid workers in the Colombo Municipal service were Indians, employed in scavenging and conservancy work, which was disliked by the Ceylonese workers. The resolution was, therefore, dropped. The Municipal Council decided that 'instead of discontinuing the existing non-Ceylonese labourers, the policy should be to employ only the Ceylonese labour in future, save in exceptional circumstances.' The Galle Municipality also came to the same conclusion as that of the Colombo Municipality.

Besides the Indian estate labourers and non-estate workers, there were free miscellaneous Indian immigrants from the north, west and south India who were variously engaged in Sri Lanka. The country's business-market was dominated by the Moors from Malabar, the Nattukottai Chettiar from the Tamil South and by the Sindhis, Borahs and Memons from west India. Many Indians were associated

with them as their shop-assistants. The Indian business-community in Sri Lanka included, besides the aforesaid big business men, small traders and boutique-keepers, resorted to by both the Indian settlers and local inhabitants. A certain percentage of the miscellaneous immigrants belonged to the professional class such as lawyers and doctors. Indians had been shut out of the Ceylon Civil Service fairly long before the country became independent. There had been many Indians employed as clerks in commercial houses and as teachers in schools in Sri Lanka before her independence was achieved. The Indian Tamils teaching in schools and colleges are found even today on the Island. Other occupations in which the Indian immigrants either predominated or figured largely in the country before her independence included those of ladies' tailors, barbers, shoe-makers, eating-house keepers, dairymen and of itinerant vendors of food-stuffs. According to the evidence of the witnesses examined by Jackson, ladies' ordinary tailoring had always been done by the Indian tailors and never by their Sinhalese counterparts. Men's tailoring, on the other hand, was mainly the preserve of the Sinhalese tailors. In the occupation of dairy-keeping, the secrets of success of the Indians lay, according to Jackson's witnesses, in their superior financial resources, their traditional aptitude for dairy-farming and in their better business organization. In the rest of the occupations mentioned above, the primary reasons for the success of the Indians, as ascribed by the Sinhalese witnesses, were 'undercutting in prices' and the 'unreasonably' long hours of work. In addition to the aforesaid occupations, there were a few more in which the miscellaneous immigrants were engaged such as the production of gas and electricity, printing, book-binding, fishing, pottery, work in iron and steel, work in precious and other metals, bakery, dress-making, construction of carts etc.<sup>85</sup>

After the attainment of Dominion status by Sri Lanka, especially after the implementation of the Pact of 1964,<sup>86</sup> the people of Indian origin, not admitted to Ceylonese citizenship, have been gradually replaced by the country's nationals in the occupations, formerly in Indian hands.

The Tamil labourers formed a society of their own in the estate areas where they were employed. No one, who has

visited the estates in the Up-country districts of Sri Lanka, could have failed to see the barrack-like lines, built as the labourers' abodes, where, after day's hard toil, they would relax themselves, prepare their meals, sleep at night to wake up early

**Social life of the estate labourers**  
next morning with fresh energy to report for duty to the Kangany, and would one day breathe their last, leaving their frail bodies to be cremated by their survivors. Situated far away from the Ceylonese villages, the lines look lifeless, though the landscape round about is lively with the smiling green shrubs of tea covering a wide area, extending as far as vision spreads or even beyond. The labourers have grown accustomed to their plantation-life, passing their days with their homely joys in such lines in the cool sequestered vales and 'keeping a noiseless tenor of their way.'

Day on the estates begins at 6 in the morning when the whole labour-force is mustered at the appointed places for their 'roll-call.' The roll-call being over, they disperse to begin their work which would continue till 4 in the afternoon, with a short interval for their midday meals. The pluckers and pruners of tea-leaves would be found in the fields, the tappers of latex under rubber trees and the forest-clearing hands in the woods. Those, entrusted with the digging of pits, the maintenance of estate-roads, weeding or with any other work connected with plantation, would be busy discharging their respective responsibilities most faithfully till the last working minute in the afternoon. For the rest of the day, the labourers are free but, if they desire, they can earn extra cash by doing some extra work. Work on Sundays and on festive occasions is not compulsory, work on Sundays being optional and paid for in cash. Law requires the planter to provide the labourers with six days' work a week normally, if they demand it.

The Tamil estate labourers in Sri Lanka normally maintain the social tradition in which their ancestors grew up in South India. But, while in Sri Lanka, they are not so very particular about the injunctions of caste which obtain in their ancestral homeland, as noted above. No caste-prejudices have affected the Tamil-life on estates. High-caste labourers do not scruple about serving under low-born Kanganyes. High and low castes live quite agreeably side

by side, a Pillai or a Naidu living in one room while a Pan-chama living in the next.<sup>87</sup> As observed by T. L. R. Chandran, Agent to the Government of India in Sri Lanka, the rigidity of caste-system which prevails among the peasantry or agricultural labourers in South India stands modified and overlaid with new and liberal ideas of social relationship in Sri Lanka. Differentiation between high and low castes is, no doubt, recognized but intermarriages between the members of different sub-castes are quite common. Members of all castes, high and low, on estates often interdine and meet on equal terms in social functions and gatherings. 'The term *untouchability* is almost unknown among the Tamil estate labourers in Ceylon.'<sup>88</sup>

Though somewhat liberal in respect of caste-principles and caste-prejudices, the Tamil estate labourers are fairly conservative in matters of religion. Their religious life is strictly built upon the religious beliefs and traditions of their ancestors. Speaking about the impact upon the Indians in East Africa of their ancestral religion, a Hindu settler in East Africa once observed : 'The gods are unwilling to cross the sea. Most of them, I think, stayed in India. The women brought over a few that are important to them, but for me, it will be time for me to pray to God, when I go back to India.'<sup>89</sup> This was not, however, the case with the Tamil labourers in Sri Lanka. They had left caste behind in South India but carried their gods with them while immigrating for estate work into the Island. To them religion consists in worshipping deities in their crude way, propitiating evil spirits and in observing certain ritualistic festivals. For instance, the Tamil labourers worship a deity, called Muniandy, an evil spirit, whom they occasionally propitiate with gifts and other offerings, believing to be able by this means to keep themselves free from evil. Every large plantation has its little temple or church usually erected by the Tamils' own hands. They do not miss the opportunity to visit such local temple or church to offer their prayers to the god within. Festivals like Thai Pongol in January and Dipavali in October are celebrated with all the prescribed rituals. On such festive occasions, the estate superintendents grant holidays to the labourers so as to enable them to depart from the drabness of their daily estate-life and to

seek diversion in an all-day-long *joie de vivre*, by beating drums and dancing to their tune, true to the traditions and customs prevailing in their ancestral homeland. Such much-awaited festive occasions afford them opportunities to get together and to exchange greetings with one another in a holiday mood. In grateful appreciation of the privilege allowed to them by the estate superintendents for celebrating their festivals, the labourers visit them and other estate-officers to express their gratitude to them.

The religious-minded among the estate labourers make annual pilgrimages to Kataragama and Adam's Peak. Situated on the south-east coast of Sri Lanka, Kataragama contains the temple of god Kataragama after whom the holy place is so called. With thick forests around and with the gently-flowing Menik Ganga on the north and the Kirindi Oya on the south, the Kataragama temple attracts the Tamil labourers—men, women and children—in large numbers who make annual pilgrimages to pay homage to the god in the temple. Though more difficult of access than the other shrines of Sri Lanka, the temple of Kataragama is the most visited and the most popular of the 'devalayas' of the Island, so strong is the faith of the pilgrims in the god of Kataragama.<sup>90</sup> Adam's Peak or Sri Pada, sacred to the Buddhists and Hindus alike, is a favourite place of pilgrimage to them, hundreds of whom visit the Peak each year, regardless of the steepness of the path leading to the summit.

The estate labourers are not without recreational facilities to break the monotony of their routine duties on estates. Some estate superintendents, appreciative of the ungrudging services of the rather docile Tamil labourers, organize volleyball and basket-ball games.<sup>91</sup> Occasionally, an enlightened planter would entertain his labourers with free cinema-shows<sup>92</sup> to keep up their spirits and enthuse them to work with fresh energy on the field next morning. Some sympathetic Kanganies organize for their entertainment 'Koothus'<sup>93</sup> or plays, depicting the lives of the Tamil kings or the episodes from the Ramayana or the Mahabharata, and sometimes also arrange for 'bhajans'<sup>94</sup> or religious concerts in estate temples for their recreation. But the recreation, most favourite to them, lies in their frequent visits to the local boutique or toddy tavern which is to them like a club where they spend

considerable time in idle gossip or in discussing petty estate politics with toddy pots to their lips, after their day's work is over. Estate labourers have, indeed, the 'reputation' of drinking liquor to excess, which may be attributed to such causes as the arduous nature of their work and the climatic conditions of the tea and rubber plantations where they reside. Next to toddy comes arrack as their popular drink.<sup>95</sup> The Tamil labourers are also addicted to gambling.<sup>96</sup>

With all their attachment to toddy and arrack shops as also to gambling, they have, however, a very healthy means of recreation in the cultivation of their own plots of land for paddy or in growing vegetables in their own gardens during their leisure hours. Some of the more enterprising among them take to the rearing of cattle or to poultry-farming which is a paying recreational occupation to them.

Unfortunately, however, the Tamil estate labourers have a poor health, the consequence of a poor diet.<sup>97</sup> And yet, they are loyal and hard workers, contributing to the economic prosperity of Sri Lanka. Their habit and disposition are 'to suffer in silence.'<sup>98</sup> Their proverbial honesty, simplicity and docility notwithstanding, they feel the pinch of wants in their day-to-day life. They want nutritional food for proper nourishment, healthy quarters to live in, adequate hospital treatment in illness, facilities for higher education for their children, and many other necessities to make life worth living. The estate labourers, already admitted to the Ceylonese citizenship or already registered for the grant of the Ceylonese citizenship in the near future in terms of the Pact of 1964, are under the direct care of the Government of Sri Lanka to whom they have now to look forward for the satisfaction of their wants, not to the Government of India.

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#### FOOTNOTES

1 *Census of Ceylon, 1946, vol. I, Part I,*

2 *Vide p. 6 above.*

3 *Vide map facing page 100.*

4 *Barbara Cannon, Ceylon, p. 45.*

5 Census of Ceylon, 1946. Vol. I, Part I.

6 Barbara Cannon, op. cit. p. 45.

7 Ibid.

8 As recorded by K. P. S. Menon, the Afghan money-lenders came from certain villages in the North-West Frontier Province and Baluchistan. The Ceylonese did not mind borrowing money from them but socially kept them at arm's length. Almost the entire railway staff was in debt to the Afghans and shut their eyes when their creditors travelled without tickets. These Afghans charged fabulous rates of interest. Vide his *Many worlds*, Chapter 8, p. 109.

9 Census of Ceylon, 1946, Vol. I, Part I, p. 2.

10 1871 to 1921—Census of Ceylon, 1921, Vol. I, Part II, pp. 52-53. Also Census of Ceylon, 1911.

1946—Census of Ceylon, 1946, Vol. I, Part I, op. cit., pp. 175, 177, 180.

1953—Census of Ceylon, 1953, Vol. I, p. 107. Also Ferguson's Ceylon Directory, 1962. Others' refer to Zoroastrians, Free Thinkers, Agnostics etc.

1963—Ferguson's Ceylon Directory, 1970-71, p. 67.

1971—Ceylon Census of population, 1971, Preliminary Release no. I.

11 Vide pp. 37-38 above for details.

12 Report of K. P. S. Menon as Agent to Government of India in Ceylon, 1930.

13 Ibid.

14 Ibid.

15 Census of Ceylon, 1946, Vol. I, Part I, op. cit., p. 162.

16 Jawaharlal Nehru once said in Lok Sabha (Parliament) with reference to the non-estate population in Sri Lanka: 'Indian nationals, there, are of many types, merchants, domestic servants, petty shopkeepers, barbers and people in such like employment.' Lok Sabha Debates, Vol. III—2nd series, 1957, second session, Col. 4669, 23 7.57.

17 T. N. Archives—Development Dept., G. O. no. 3144, 12.12.1938—Report of the Controller of Labour for 1937 (Colombo).

18 1871—Census of the Ceylon, 1871. The Census shows the following districts in which the Indian estate labourers were employed :

	Males	Females		Males	Females
Kegalla	2,293	1,147	Matale	7,815	3,846
Karunegala	1,445	715	Badulla	8,730	5,021
Sabaragamuwa	1,740	851	Nuwara Eliya	1,753	1,029
Kandy	47,749	24,481	Matara	592	237

TOTAL MALE : 72,1174 TOTAL FEMALE : 37,327

1901—Census of Ceylon, 1901, Vol. II.

1911—Census of Ceylon, 1911.

1921—Census of Ceylon, 1921, Vol. III. The total estate population of all races in 1921, as recorded in Census of Ceylon for 1946, is, however, 5,69,118.

1931—Census of Ceylon, 1931, Vol. I.

1946—Census of Ceylon, 1946, Vol. I., Part I., op. cit.

1953—Census of Ceylon, 1953, Vol. I.

1963—Ferguson's Ceylon Directory, 1970-71. According to Census of Ceylon, Vol. I, Part I, 1963, the total estate population for 1963 was 11,48,470 and the total population of Indian Tamils on estates was 9,36,720.

1971—Ceylon Census of population, Preliminary Release no. I, op. cit.

19 1921—Census of Ceylon, 1946, Vol. I, Part I. op. cit., p. 239. The total estate population of all races in 1921, as recorded in the Census for 1921, was 5,68,850. The small difference notwithstanding, the contention that the Tamil estate labourers enjoyed an overwhelming numerical superiority over the estate labourers of other races, as in 1921, stands justified.

1931—Ibid.

1946—Ibid.

1953—Census of Ceylon, 1953, Vol. I. op. cit., p. 209, Table 27.

1963—Ferguson's Ceylon Directory, 1970-71, op. cit., p. 67.

1971—Ceylon Census of population, 1971, Preliminary Release no. I., op. cit.

20 Sources of information about the figures shown in Col. 2 :

1911—Census of Ceylon, 1911. op. cit.

1921—Census of Ceylon, 1921, Vol. I, part I. op. cit.

1946—Census of Ceylon, 1946 Vol. I, Part I, op. cit.

1953—Ferguson's Ceylon Directory, 1962.

1963—Ibid, for 1970-71, p. 67.

1971—Ceylon Census of population, 1971, Preliminary Release no. I., op. cit.

21 Sources of information about figures shown In Col. 2.

1921—Census of Ceylon, 1921, Vol. I, Part I. op. cit.

1946—Census of Ceylon, 1946, Vol. I, Part I. op. cit.

1953—Ferguson's Ceylon Directory, 1962, op. cit.

1963—Ibid., for 1970,71.

1971—Ceylon Census of Population, 1971, Preliminary Release no. I., op. cit.

22 Silva, Social policy and Missionary organizations in Ceylon, 1840-1855, p. 243.

23 Ibid. According to Ceylon Sessional Paper LXVIII for 1907, the arrivals in 1845 and 1846 were 73,401 and 42,317 respectively.

24 N. A. of Sri Lanka—Lot 5/34, Despatch no. 6 Misc., 21 April 1847, op. cit., pp. 205, 222.

25 Ceylon Sessional Paper LXVIII, 1907.

26 N. A. of Sri Lanka—Lot 5/34, Despatch no. 68 Misc., 5.8.1847, op. cit.

27 Ibid.

28 Statement of the Police Supdt. Kandy, Locks Bond Dunuwille. Enclo. no 9 to Despatch no 52, 13.4.1949; C.O. 54/258, Torrington to Grey,

29 The Kandyan disturbances of 1843 had their roots in the Ceylon Government's neglect of the Kandyan peasants' interest and in its too much devotion to the development of plantation. Many peasants were deprived of their high lands where they used to cultivate chena or graze their cattle. They looked with dismay upon the occupation of their lands by foreigners. While the peasants were thus in an unsettled and discontented state of mind, the government, partly to meet the deficit caused by the coffee crisis, introduced new taxes. The stamp duty was imposed. The owners of shops, boats, carriages and bullock carts were required to pay an annual licence of £ 1. The owner of a musket was ordered to pay 2s. 6d. and the owner of a dog, 1s. Every male inhabitant of Kandy was asked to work 6 days a year in repairs to, and construction of, roads or to pay a tax of 3s. instead. Disturbances occurred. Governor Torrington took repressive measures to control the situation. Finally, Torrington was recalled and the licences for firearms, dogs and shops were repealed. Vide G. C. Mendis, Ceylon under the British, 2nd Revised edition, 1946, Colombo, pp. 57-60.

30 Ceylon Sessional Paper LXVIII, 1907.

31 N A of Sri Lanka-Lot 5/35, Despatch no 145, Misc., 15-8-1848—Torrington to Grey, pp 494-497.

32 N A of Sri Lanka—Lot 5/36, Despatch no. 52, Misc., 13-4-1849—Torrington to Grey.

33 C O 54/258, Enclo no 9 to Despatch no 52, 13.4-1849—Torrington to Grey.

34 Ibid.

35 Ceylon Sessional Paper LXVIII, 1907, p. 228 records the annual arrivals and departures of labourers during the period from 1843 to 1877. The above figures have been arrived at by totalling up the figures of the years 1849-77.

36 Vide Chapter I, p 27 above for the elaboration of this point

37 Census of Ceylon, 1891

38 N. A. of Sri Lanka—Lot 5/69, Despatch no. 503, Misc. dated 23 Nov. 1882. From Longden to Kimberley. Details of 1,16,215 : 1878—39,120 ; 1879—26,540 ; 1880—24,206 ; 1881—26,349.

39 Ibid.

40 West Ridgeway, op. cit., p. 105

41 Ceylon Administration Report for 1918, p. L 3

42 Report of the Supdt., Mandapam Camp, for the years 1918 to 1922, and Report on the Tataparal Immigration and Quarantine Depot for the years 1918-1922. Vide Ceylon Administration Reports, 1918-22.

43 Administration Reports for 1951—Administration Report of the Commissioner of Labour, 1951 (M Rajanayagam), pp F82-83—Migration Statistics of Indians via Tuticorin and Talaimannar, 1923-1951. The figures shown above have been arrived at by totalling up the figures of the years 1923-1938.

44 Ibid. Also Agent's Report for 1933.

45 N. A. of India—Dept of Edu, H & L, Progs. I-49A, Sept- 1931.

46 Ibid.

47 Ceylon Administration Report, 1951, pp. F 82-83.

48 Agent's Report for 1935.

49 Ceylon Administration Report for 1951, op. cit.

50 Ibid.

51 Ibid. The figures have been arrived at by totalling up the figures of years 1939-1951.

52 Ibid.

53 Report of Labour Commissioner for 1952, 1953, 1957, 1958, 1960-61. Vide Ceylon Administration Report for 1952 1953, 1957, 1958, 1960-61.

54 Ceylon Sessional Paper XXVI, 1941, P 29

55 Ceylon Administration Report for 1927, p, P25 ; for 1928, p. P23 ; for 1929' p. P26 ; for 1930, p. P35 ; for 1931, p. P40 ; for 1932, p. 038 ; for 1933, p, 022 and for 1934, p, 025.

56 Ibid.

57 Report of the Controller of Indian Immigrant Labour, 1926.

58 William Sabonadiere, The Coffee Planters of Ceylon, 2nd ed., London, 1870, p. 102,

59 Ibid.

60 Vide Report of Marjoribanks and Marakkayar, Para 36, op. cit,

61 Jackson Report, op. cit.

62 Ceylon Sessional Paper XIX, 1943—Report on Labour conditions in Ceylon by Major G. St. J. Orde Browne.

63 N. A. of Sri Lanka—Lot 5/46, Despatch no. 99 Misc., Dambul, 9 July 1872 from W. H. Gregory to Earl Kimberley,

64 Ceylon Sessional Paper LXVII, 1908.

65 Census of Ceylon, 1921.

66 Labour Commissioner's Report for 1949, Vide Ceylon Administration Report for 1949.

67 Agent's Reports for 1944, 1945.

68 Ceylon Sessional Paper III, 1938, Jackson Report, op. cit., p. 13.

69 N. A. of India, Dept. of Edu., H. & L. Overseas. progs. B26—29 June 1926—S. Ranganathan's (Agent to Government of India) Annual Report for 1923.

70 Ibid.

71 Ibid.

72 Jackson Report, op. cit.

73 Ranganathan's Annual Report for 1923, op. cit.

74 Jackson Report, op. cit., p. 23.

75 Ibid., p. 11.

76 Ibid.

77 Ibid., p. 13.

78 Ibid.

79 Ibid., p. 14.

80 Ibid., p. 16

81 Ceylon Parl. Debates (Hansard) House of Rep, Vol. 10, 20<sup>th</sup> June 1951 to Aug. 1951, Col. 1483,

82 Agent's Report for 1939, p. 21.

83 Ibid.

84 Ibid.

85 Ceylon Administration Report for 1931—Report of the Controller of Labour, 1931, p. 020,

86 Vide Chapter VI, below.

87 T. B. Pandian, The Cooly Life in Ceylon, op. cit., p. 6.

88 Report of Agent, T.L.R. Chandran, for 1934, Para. 55, pp. 19-20.

89 Vide H.P. Chattopadhyaya, Indians in Africa, pp. 349-50,

90 M. D. Raghavan, Tamil Culture in Ceylon, p. 237.

91 Agent's Report for 1934, Para. 59, p. 21

92 Ibid.

93 Ibid.

94 Ibid.

95 Administration Report of the Commissioner of Labour for 1956

96 Report of the Labour Commission, 1908

97 Vide Chapter II, p. 78 above.

98 Vide also Chapter II, p. 86 above.

The last Footnote number on page 128 should be read as Footnote number 83 instead of as 82.

## CHAPTER IV

### TRADE AND BUSINESS OF THE INDIAN IMMIGRANTS IN SRI LANKA

Immigration of the Tamil labourers into Sri Lanka in the 19th and early 20th centuries not only solved the British planters' problem of securing efficient, yet cheap, labour for their plantations but also created opportunities for the investment of Indian capital in the trade and industry of the Island. Though the British occupation of Sri Lanka was followed by the introduction of plantation economy there, the British capitalists, who invested their capital in plantations, were initially put to great inconvenience for want of banking facilities in the country, where the first commercial bank came to be established only in 1841. This want of banks in the early days of British rule in Sri Lanka created a splendid opportunity for the Nattukottai Chettiar capitalists of south India to establish themselves on the Island as the only Bankers to the British capitalists there prior to 1841. The introduction of plantation, again, gave a death-blow to the primitive peasant economy of the Island by requiring rice-fields to be converted into the plantations of coffee, tea, rubber, cacao, cocoanut and cardamom. As the produce of rice, the staple food of the Ceylonese, consequently fell far short of their requirements, it had to be imported from abroad. This gave an additional impetus to the Nattukottai Chettiaras to appear in the Ceylonese market as traders in rice, too. The trail, blazed by the Tamil labourers, thus attracted

the Nattukottai Chettiar to the promising business-market of Sri Lanka. It was not long before their rank came to be swelled by other South Indian traders such as the Tuticorin merchants and the Malabar Moors who, compared with the Nattukottai Chettiar, were only petty traders.

The Indian business-community in Sri Lanka was not exclusively south Indian in composition. It also included the

Borahs, Memons  
and Sindhis

Borahs, Memons and Sindhis who came from west India. These west Indian 'mudalis' controlled a large part of the wholesale

import trade in foodstuffs, textiles and other consumers' goods, besides doing business in lending money at a usurious rate of interest. The Borahs (a name derived from the Gujarati word 'Vohuru' meaning to trade) featured prominently in the export and import trade of Sri Lanka. The Memons were connected mostly with the textile trade, while the Sindhis were specialists as traders in silk and curios, as tailors and as the suppliers of the needs of tourists passing through the port of Colombo. Sri Lanka's trade in Indian textiles is particularly significant, the Memons on the Island having a large interest in importing sarongs and

Trade in Textile

other handloom categories of cloth from India for the Ceylonese people. An annual export quota of 44 million yards of textile from India was fixed in 1943.<sup>1</sup> The war-time restrictions on Indian trade with Sri Lanka landed the Indian textile-dealers on the Island in a quandary.<sup>2</sup> In September 1942, for instance, was established in Sri Lanka a Textile Control Department which sought to eliminate from the textile trade those merchants who had left for India, closing down their establishments, following the air-raid of 1942, and had not returned before a prescribed date. The issue formed a subject of prolonged negotiations between the two Governments which finally agreed between themselves that the trade in textiles would be regulated by the licensing of the dealers in Sri Lanka and that the grant of licences would be confined to those traders who returned to the trade in the first week of January 1943. This agreement obviously resulted in the elimination of those Indian dealers who had left the Island during the air-raids in April 1942 but had not returned to resume their trade by the end of 1942. Moreover, the price of textiles in Sri Lanka

came to be controlled by reducing the profits of the wholesale and retail dealers who consequently remained resentful of the measure taken. Despite these regulations, the price of textiles remained high. It was alleged that the exporters in India and the importers in Sri Lanka were making profits at the expense of the consumers on the Island 'by loading the invoice-prices of consignments.'<sup>3</sup> But the Textile-importers' explanation was that the prices remained high for two reasons—the absence of any control of the export-prices of textiles in India and the prevalence of a regular traffic in export-licences there. The Government of Sri Lanka, accordingly, urged upon the Indian Government the necessity of controlling export-prices and removing the evil of traffic in the issue of export-licences and, at the same time, pressed for an increase in the export-quota. While the Government of India pleaded its inability to comply with the request for an increase in the quota of export to Sri Lanka, it took effective steps to check the traffic in export-licences by insisting on a strict application of the regulations requiring the mention of full particulars of the consignments and consignees in the licences issued, and by giving instructions to banks to refuse remittance-facilities except to the consignees named in the licences.<sup>4</sup> The Government of India also promulgated the Cloth and Yarn (Export Control) Order in July 1944, providing for the regulation of the maximum price that could be charged by the Indian traders exporting mill-made textiles to certain specified countries which included Sri Lanka.<sup>5</sup> The Government of India further agreed to the proposal of the appointment by the Ceylonese Government of an Export Co-ordinator at Madras to study the market conditions of handloom goods in India.<sup>6</sup> The Ceylonese Government, on its part, adopted two measures of much significance to the textile trade towards the end of 1944. First, the Controller of Textiles adopted the scheme of diverting to each Co-operative store in the country a quantity of textiles proportionate to the share of its members, entrusting each such Co-operative store with the distribution of the textile goods among its members. The scheme, however, was likely to prove prejudicial to the interests of the traders, both Indian and Ceylonese, because the diverting of a certain percentage of textiles to the Co-operative stores meant a cut

in the share of the retail traders who had thus reasons to anticipate their eventual elimination from the retail business in cloth. But the second measure, adopted by the Ceylonese Government, averted the danger of elimination, anticipated by the business men. The second measure introduced the system of buying textiles against coupons. According to this coupon system, an individual was allowed to buy textiles either from a licensed retail trader or from a Co-operative store on surrendering his coupon. Before the introduction of the coupon system, an individual could purchase textiles from a Co-operative store by virtue of his being its member and also from the retail traders, as he liked. Thus, to every member of a Co-operative store a double share of textiles was available. But, consequent on the introduction of the coupon system, an individual was deprived of his former double share, he now being compelled to buy textiles either from the retail trader or from the Co-operative store by surrendering his coupon in either case. Retail traders could now, therefore, have a larger sale than the Co-operative stores, if they could manage to persuade the majority of the consumers to buy textiles from them.<sup>7</sup>

The war-period was drawing to a close. India was still unable to increase the supply of textiles to Sri Lanka. The short-supply was sought to be made good by the casual visitors from Sri Lanka to India, carrying with them, while returning via Dhanuskodi, as their personal effects, large quantities of textiles and other articles whose export was restricted. Such unauthorized export of commodities necessitated a strict scrutiny of the personal baggage of the passengers from India to Sri Lanka by the customs authorities at Dhanuskodi. Finally, to prevent the smuggling of goods from India to Sri Lanka, wide publicity was given to the restrictions on the export of practically every commodity from India as also to the facilities for obtaining permits for the export of limited quantities of certain articles from the Export Trade Controllers at Madras, Bombay, Calcutta and Karachi.<sup>8</sup>

The war ended in 1945, and Sri Lanka gained her Dominion Status in 1948. Her textile trade has been still largely in the hands of the traders of Indian origin.

As in textiles, in foodstuffs also, the bulk of the wholesale and retail import trade in Sri Lanka had originally been in the hands of Indian business men. If over the textile trade the traders from western India predominated, over the

**Trade in rice and other foodstuffs**

import trade in rice and other foodstuffs both the western Indian traders and the Nattukottai Chettiar of south India were predominant. The Indian traders in Sri Lanka used to import the bulk of the Ceylonese people's requirement of rice mainly from India. Their requirements of curystuffs, dried fish, onions, potatoes etc. were also normally imported by the traders of Indian origin from India. The trade in foodstuffs had, of course, no straight-line progress. The situation created by the outbreak of the second world war, for instance, made it necessary for the Ceylonese Government to impose restrictions upon the trade. The supply of rice to the consumers came to be rationed. With the introduction of the rationing of rice, the wholesale importers were instructed by the Food Control Authorities to supply rice to municipal depots in Colombo and to various government stores and rice-dealers outside Colombo. The wholesale importers were also required to maintain large reserve stocks. But the Ceylonese Government fixed the wholesale and retail prices of rice, with the result that traders' margin of profit ceased being adequate. Their position worsened when the Government acquired the virtual monopoly of the import of rice into Sri Lanka. Traders in Colombo were so hard hit that many of them had to close down their establishments, being unable to pay rent and to meet other overhead charges. Outside Colombo also, the rice-dealers had to suffer a considerable curtailment of their trade in rice, as it came to be limited to the quota, covered by the coupons collected by them. Again, the requirement of surrendering a coupon representing half a measure of rice for every casual rice-meal at a hotel, led to an appreciable reduction in the number of persons going to hotels for such meals, with the corresponding loss in business to the hotel-proprietors many of whom were of Indian origin.<sup>9</sup> As regards curystuffs, the Ceylonese Government followed the policy of purchasing the same from the wholesale importers and then making them available to the retail dealers at controlled prices. The main object of

this policy was apparently to eliminate the possibility of profiteering by the wholesale importers. This policy of price-control was gradually extended to many other articles of consumption. The import and distribution of wheat and sugar, for instance, passed into the hands of government. Indian business men doing business in Sri Lanka thus suffered a temporary set-back. During 1944 the Government of India agreed to release a quota of 3,500 tons of 'gur' (jaggery) to Sri Lanka. The resumption of the export of 'gur', which had remained prohibited since 1943, was welcomed by the people of the Island.<sup>10</sup>

With the south Indian and west Indian traders and business men in Sri Lanka were associated a large number of Indian shop-assistants, employed by them. The majority of the shop-assistants entered the country via Mandapam, not through Tuticorin or Colombo. In the large European stores, the Indian shop-assistants were employed as porters, messengers, watchers and the like but their number in the European stores was small and, in comparison with the strength of the Ceylonese shop-assistants, insignificant. But the majority of the shop-assistants in the Indian shops were of Indian origin. This was resented by the Ceylonese people, who sought employment as shop-assistants in the Indian shops as well. The Ceylonese witnesses, who bore evidence before the Jackson Enquiry Commission in 1938, complained that the presence of Indian rivals prevented large numbers of the Ceylonese workers from being employed as shop-assistants in Indian shops, though they were quite fit for the employment, which they thought should be theirs.<sup>11</sup> One of the reasons, given by the Ceylonese witnesses for the exclusion of the Ceylonese from employment as shop-assistants in Indian shops, was excessively long hours of work demanded by the Indian shopkeepers from their assistants. This reason came to be eliminated when the State Council passed the Shops Regulation Ordinance on 15 December 1938. The principle of the Ordinance was accepted without reserve by almost all the Indian merchants especially, as they felt that its acceptance would remove the charge against them that they overworked their shop-assistants. The other reasons, given by the Ceylonese witnesses for the exclusion of the Ceylonese as shop-

assistants in Indian shops, were the obligation on the part of the assistants to live all together on the business premises and the inadequacy of their remuneration, which took various forms and did not consist wholly of payments in cash. The main reason, according to the Indian witnesses, for the employment of the Indian shop-assistants to the exclusion of the Ceylonese ones was the nature of the business of the Indian merchants and the way in which it was conducted. The Sindhi merchants, for instance, who are a close community dealing in silk, generally employ only the members of their own community as their shop-assistants. Those whom the Sindhi merchants employ as their shop-assistants are required to undergo intensive training in the silk business from their youth or even from their childhood. Moreover, the Indian merchants write their account books and maintain other records in their zonal languages which their shop-assistants must know. They are, moreover, required to be conversant not only with one particular language but with more than one. What is also significant is that such shop-assistants must be familiar with the usages and customs peculiar to the particular Indian trade in which they would be employed, and, in addition, would be bound to their employers by the ties of blood or community.<sup>12</sup> It was not possible for the Ceylonese to fulfil such conditions of employment and, therefore, they stood excluded.

It follows, then, that trade and business in Sri Lanka had, since the early phase of the plantation epoch, been mainly in Indian hands. All, from the boutique-keepers to the retail and wholesale traders and business men, were mostly Indians. While the export trade was chiefly in the hands of the British capitalists, the import trade was carried on mainly by the Indians. They were practically the sole importers of food for the Ceylonese and the distributors of their other articles of necessity imported from abroad. More than half of the imports of Sri Lanka in her pre-independence days were obtained from India, the value of such imports from India amounting to not less than 180 million rupees in 1920.<sup>13</sup> In fact, Indians built up in Sri Lanka a lucrative trade in which their investment of capital was by no means inconsiderable. In reply to a question, in the course of debates in the Indian Parliament in 1961, the then Finance Minister (Morarji Desai) stated that:

the total private Indian assets in Sri Lanka amounted to Rs. 95 lakhs at the end of 1955.<sup>14</sup>

The balance of trade of the Indian business community in Sri Lanka was largely in its favour, as would be evident from the large amounts of their remittances in different years.

**Remittances by men** The Tamil estate labourers also used to send money to their relatives in South India, as discussed in Chapter II above, but their remittances, compared with those of the traders, were very small, much larger sums being remitted by the Indian business community from Sri Lanka, as would be borne out by the following Table<sup>15</sup>:

Col. 1 Year	Col. 2 Total amount of remit- tances from Sri Lanka to India	Col. 3 Amount sent from Sri Lanka to India by estate labourers	Col. 4 Amount sent from Sri Lanka to India by Indian traders and business men—The result obtained by deducting Col. 3 from Col. 2	Col. 5 Total amount remitted from India to Sri Lanka by Indian traders and busi- ness men
1924	Rs. 87,27,716	Rs. 26,18,314	Rs. 61,09,402	Rs. 9,02,764
1929	1,11,13,225	33,85,088	77,28,137	9,58,939
1930	96,75,974	17,86,185	78,89,789	9,69,205
1931	78,94,323	11,81,780	67,12,543	6,95,716
1932	66,85,492	10,00,818	56,84,674	6,58,810
1933	59,20,964	10,34,393	48,86,571	6,08,185
1934	64,82,579	11,32,507 + 2,68,170	50,81,902	4,84,254
1935	62,83,768	15,90,422	46,93,346	4,92,084
1936	61,40,610	12,71,720	48,68,890	4,70,036
1937	60,04,850	13,15,662	46,89,188	4,14,382
1938	58,96,742	13,73,940	45,22,802	3,77,800
1939	60,51,112	13,13,091 + 1,51,700	45,86,321	3,43,050
1940	70,47,667	15,50,487 + 2,07,200	52,89,980	3,53,345
1941	74,37,450	13,38,741 + 2,51,200	58,47,509	4,06,825

Col. 1 Year	Col. 2 Total amount of remit- tances from Sri Lanka to India	Col. 3 Amount sent from Sri Lanka to India by estate labourers	Col. 4 Amount sent from Sri Lanka to India by Indian traders and business men—The result obtained by deducting Col. 3 from Col. 2	Col. 5 Total amount remitted from India to Sri Lanka by Indian traders and busi- ness men
	Rs.	Rs.	Rs.	Rs.
1942	1,55,60,627	24,89,700	1,30,70,927	5,61,154
1943	1,80,78,328	37,96,448	1,42,81,880	7,21,609
1944	2,36,62,156	52,05,674	1,84,56,482	8,40,502
1946	2,92,95,383	61,52,030	2,31,43,353	12,78,059
1947	2,62,18,699	44,57,178	2,17,61,521	10,35,212
1948	2,86,53,853	34,38,468	2,52,15,385	95,609
1956	1,03,51,327	46,58,097	56,93,230	1,03,272
1957	72,64,854	37,77,724	34,87,130	49,464
1958	52,37,017	77,507	51,59,510	1,399
1.1.61-				
30.9.61	2,90,815	36,260	2,54,555	

Out of the above-mentioned remittances of the Indian traders and business men the lion's share could be claimed by the Nattukottai Chettiar who held a dominant position in the economic life of the British Ceylon till about the end of the second world war. The Nattukottai Chettiar besides,

**Vaniya Chetties  
and Colombo  
Chetties** there were in Sri Lanka other Chettiar, known as the Vaniya Chetties, the Colombo Chetties, and the Chetties working as

labourers in the public services of Sri Lanka since the Dutch period.<sup>16</sup> While the Vaniya Chetties, who were oil-mongers, made Jaffna their permanent home, the Colombo Chetties settled in Puttalam and Colombo during the reign of the Sinhalese kings. Some of them reached Sri Lanka during the Portuguese rule and still others during the Dutch and the early British period. Among the Colombo Chetties there are the adherents of both Hinduism and Christianity, the majority of them today being Roman Catholics.<sup>17</sup> During the British period, the Colombo Chetties served as shroffs or middlemen and as cashiers in the banking business of Sri Lanka.<sup>18</sup> The

Chetties engaged as labourers in public services could have been brought over to Sri Lanka by the Colombo Chetties to employ them in their service.<sup>19</sup> The above three categories of Chetties are not, however, material to the present discussion. It is the role of the Nattukottai Chettalars in the economy of Sri Lanka which has been highlighted here.

The original home of the Nattukottai Chettalars<sup>20</sup> was the Chola country in South India. They abandoned the Chola territory<sup>21</sup> about 700 A. D. in search of a new home and

**Nattukottai Chettalars and their role as bankers and business men** ultimately settled in 78 villages occupying an irregular area called Chettinad, bounded on the north by the Vellayar river in the Pudukottai state, on the south by the Vaigai river, on the west by the Piranmalai (a mountain peak) and on the east by the Bay of Bengal. Chettinad thus lies partly in the Ramnad district and partly in the Pudukottai state. Out of the 78 villages, occupied by the Nattukottai Chettalars, 20 are in the Pudukottai state and 58, in the Ramnad district.<sup>22</sup> Their business spread all over southern India and even travelled beyond India to such countries as Burma, Malaya, Vietnam, Thailand, Java, Sumatra, Mauritius and Sri Lanka.<sup>23</sup> The Nattukottai Chettalars set up their business in Calcutta also, as borne out by A. Savarinatha Pillai, a former Assistant Commissioner of Income Tax, Southern Range, Madras, in his written evidence before the Madras Provincial Banking Enquiry Committee in 1930. According to his evidence, there had been from 'olden times' till 1910 Chetty shops in Calcutta which later on used to receive only deposits from Bengalis but their business in Calcutta sustained a severe shock between 1908 and 1912 when 7 or 8 of their shops collapsed, with the result that they were no longer able to do further business in Bengal.<sup>24</sup> The community of the Nattukottai Chettalars was, indeed, 'mobile in operations and locale, and its business combined banking with trading, changing from trade to money-lending or from one business to another, and moving from place to place, whichever offered better chances of profit.'<sup>25</sup>

The Nattukottai Chettalars had given a good account of themselves as bankers in Sri Lanka before the introduction of the regular banking system there. The British merchants in Sri Lanka were then wholly dependent on them for the conversion of their Sterling bills into Indian rupees. The British

merchants used to export coffee to Europe and to receive payment in Sterling bills in return. They also carried on business with India. The difficulty they faced was how to meet their financial obligations in Sri Lanka and how to clear their dues on account of their imports from India. The question of such payments posed a problem to them in view of the fact that payments in India were to be made in rupees, so also in Sri Lanka—Sri Lanka having then no currency of her own, Indian currency being in circulation there—whereas they had only Sterling bills in their possession. The exchange problem of the British merchant houses in the early period of British rule was, in other words, the problem of meeting their trade deficit with India on account of their Indian imports, out of the sterling receipts obtained for their exports to England and other western countries.<sup>26</sup> What was needed was the conversion of their Sterling bills into Rupee ones. This conversion was possible either directly through the Chettiar, who were then the only dealers in rupees in Sri Lanka or by adopting the method of discounting Sterling bills in London, importing the gold bullion into India, getting the gold bullion minted there into rupee-coins in exchange and then shipping the rupee-coins to Sri Lanka.<sup>27</sup> The alternative method was, no doubt, circuitous and was very likely to involve long delay in the conversion of Sterling bills. The British merchants, in such circumstances, preferred conversion through the Nattukottai Chettiar. They were, therefore, obliged to engage in the Presidency towns in India their own Agents to one of whom, for instance, they sent, by post, the Sterling bills to get them discounted through an Indian bank. The Agent concerned, on receipt of the Sterling bills, got them converted into Rupee bills through a commercial bank in Bombay, Madras or Calcutta and then presented the same to a Nattukottai Chettiar Firm for encashment in Indian rupees. The Chettiar Firm forthwith bought the Rupee bills on a Madras, Bombay or Calcutta commercial bank, as the case might be, paid the amount due in Indian rupees to the Agent concerned for ultimate delivery to the British merchant or merchants in Sri Lanka. The Chettiar Firm in question, thereafter, conveniently got the Rupee bills discounted at the commercial bank which issued them, no doubt with a margin of profit accruing from the transaction. The commercial bank,

on its part, finally realised the money due on the Sterling bills by getting them discounted at a London bank with which the British merchant or merchants in Sri Lanka had their accounts. Thus the smooth movement of the wheel of exchange depended largely on the disposition of the Nattukottai Chettiar merchant-bankers. They could compel the holders of Sterling credits to convert them first into Rupee bills before they would be willing to negotiate them. In discounting bills for the foreign merchants, however, the Chettiar showed a marked preference for Government bills.<sup>28</sup>

The banking business of the Nattukottai Chettiar took a new turn after the establishment, in 1841, of the first commercial bank on the Island, the Bank of Ceylon, which was entirely a British concern. The Bank, however, failed in 1848. Gradually, other British banks made their appearance in Sri Lanka—the Mercantile Bank of India, the Oriental Banking Corporation, the Chartered Mercantile Bank, the Bank of Madras. The establishment of these British banks, especially the Bank of Madras (now called the State Bank of India), made the British business houses in Sri Lanka independent of the Chettiar Firms, as they could now transact their banking business through the above mentioned banks, with the result that the importance of the Chettiar Firms in the credit and financial structure of the Island gradually declined. The Chettiar, in fact, lost control over their banking business. The Ceylonese agriculturists and traders who needed loan were, therefore, required, in the changed circumstances, to apply to the British banks for financial aid. The Ceylonese, however, experienced much difficulty in gaining an easy access to the European staff of the British banks for the purpose of obtaining loan. Their difficulty was enhanced by the obligation that they must apply for their loan through an officer, called shroff, who was appointed by a bank from among the Colombo Chetties to act as a guarantor for the non-European borrowers. A shroff was not, however, a pukka officer of a bank on a footing of equality with other staff officers. A bank purchased his experience of the local market by appointing him on a fixed pay plus a certain commission on non-European business. He earned an additional commission ranging from 1/8 per cent to 1/2 per cent from his own clients.<sup>29</sup> Thus a shroff enjoyed commission from both the

bank and the borrower. The obligation to pay commission on the sanctioned loan imposed an additional financial burden on the local traders. The local non-European traders had, in the majority of cases, no direct contact with the Bank Manager under such a system, though such a contact was necessary for mutual understanding and was helpful to the grant of credit facilities. Moreover, a shroff often prevailed upon his clients to inflate their credit and thus to overtrade in order to enhance his personal remuneration.

Such defects in the system of shroffs could not escape the notice of the Nattukottai Chettiar. They further found that the newly established exchange banks were principally concerned with the financing of the foreign trade of the Island and took little or no interest in financing local trade or the trade in the Ceylonese hands. Whatever pittance of financial aid the Ceylonese traders could get from the banks was made available to them through the persuasive efforts of the shroffs on payment of certain percentage of commission to them. In face of developments such as these, the Nattukottai Chettiar gave their former banking business a new shape by resorting to the policy of borrowing money from the British banks through the shroffs as middlemen and then re-loaning the borrowed money to the Ceylonese at higher rates of interest. The Ceylon Banking Commission of 1934 estimated the Chettiar's total loan from the British banks at 25 million rupees until that year.<sup>30</sup> In a sense, then, to the Ceylonese business men and agriculturists, the Nattukottai Chettiar functioned as the local bankers, as before. To them the Chettiar still continued to be the main source of credit.

As local bankers doing banking business through the shroffs, the Chettiar were highly popular with their customers, not without reasons. An attractive feature of the Chettiar's banking system was that they lived among the borrowers themselves, keeping a strict watch over the financial stability of the latter. Unlike the Managers and the staff of the British banks, they were easily approachable by the borrowers. The facility of direct access to the Chettiar bankers and the advantage of direct communication with them removed the scope of any misunderstanding between them and their clients, while mutual appreciation and smooth financial transaction made their relations cordial. The Chettiar bankers

also successfully dispensed with departmentalism and red-tapism and thus ensured financial accommodation without much loss of time. Their banking method was elastic and, therefore, adjustable to the changing situation and needs of the customers. If the British bankers met the financial needs of only the importers and exporters, the Chettiar had their primary interest in financing the private enterprises of the Ceylonese business men and agriculturists. The Nattukottai Chettiar's name was, indeed, synonymous with private banking.<sup>31</sup>

All the Nattukottai Chettiar trading in Sri Lanka were members of the Ceylon Nattukottai Chettiar's Association which was founded about the year 1927. The membership of the Association was confined to the community of the Nattukottai Chettiar only. The Association determined from time to time the problems concerning their business and fixed the minimum rate of interest chargeable on their borrowers.<sup>32</sup> The members of a family lived together, worked together and had a common mess. The profit went to the common fund.<sup>33</sup> As in Rangoon, Singapur and other centres of their business, so in Colombo, they lived in the same locality and even had their offices on the same building.<sup>34</sup>

As in their other business centres, so in Sri Lanka, the Nattukottai Chettiar carried on their business chiefly through the Agency system. The Agent, who must be a member of their community, was the pivot of the Chettiar organization. He was appointed for a three-year term with full powers to transact all matters connected with the Principal's business in Sri Lanka. In transacting business on behalf of a Firm, an Agent followed the peculiar style of signing papers by prefixing to his own name the initials of the persons who constituted the Firm. Such a style of signature was known as Vilasam.<sup>35</sup> The Agent's salary was fixed for the entire period, a part of it being paid to him in advance. He was rewarded with a bonus amounting to 10 per cent of the net profit generally, at the expiry of his term of office, if he proved himself energetic and industrious during his tenure of service. Relieved of his duties at the end of his term of office, the Agent returned to Madras for rest for three years, after giving an account of his stewardship to his Principal. He could seek re-employment, after spending three years in

rest, under his old Principal or under a new one. In course of time, such Agents could amass enough wealth for starting a business of their own. The Agency system 'enabled the Nattukottai Chettiar to bring down their overhead charges to a low level, while it encouraged honesty and devotion to work by the system of payment by results.'<sup>36</sup>

What were the sources of capital of the Nattukottai Chettiar in Sri Lanka? Their capital was principally made up of their own funds and of the loans they obtained from the banks in Sri Lanka and from their relatives in India. About 1925 the Chettiar business in Sri Lanka was valued at about 15 crores of rupees out of which 8½ crores represented their own capital, 4 crores was borrowed from their relatives and friends in South India and the remaining 2½ crores represented their loan from the local banks.<sup>37</sup> By 1934, the Chettiar capital was reduced to about 10 crores, the sources of which were as follows<sup>38</sup>:

The Chettiar's own capital	Rs. 8,50,00,000 (approximate)
Amount borrowed from	
relations in India	Rs. 1,40,00,000 "
Amount borrowed	
from local banks	Rs. 10,00,000 "
	Rs. 10,00,00,000 "

The Chettiar borrowed money from the local banks by means of overdrafts, promissory notes and time notes. Most of the Chettiar's dealings with the banks had been on time notes. The loans were usually for one or two months but were renewable. The special rate of interest at which loans were sanctioned by the banks to the Chettiar were commonly known in the business circles in Colombo as the 'Chetty rate'. It was about 2 to 3 per cent more than the normal bank rate, which varied from 5 to 6 per cent in those days. The bulk of the Chetty loans was provided by the Colombo branch of the Imperial Bank of India. Whenever financially solvent parties approached the Bank for loan, it was granted forthwith on joint signatures. No security was demanded but the loan had to be guaranteed by the bank's shroff. The system

worked well till about 1925 when a crisis, called the 'Chetty crisis', paralysed the banking business of the Nattukottai Chettiar in Sri Lanka. The crisis arose out the malpractices of some leading Chettiar Firms in obtaining loan and financial accommodation from banks. The banks, which loaned money to them, therefore, took alarm, suspended further credit to them except on good security, say Government paper, and thus tightened their lending policies towards the Chettiar Firms, with the result that the total amount of loans from banks to the Chettiar dropped from  $2\frac{1}{2}$  crores or 25 million rupees in 1925 to 10 lakhs or 1 million rupees in 1934, as stated above.

Normally, before the Chetty crisis of 1925, the Nattukottai Chettiar in Sri Lanka did not borrow beyond their capacity of repaying and followed their traditional practice of inter-Chetty lending. These two factors, particularly the second one, contributed much to the early success of their business. When a Chettiar trader was in need of liquid funds, he got the same from another Chettiar trader at the usual inter-Chetty rate of interest of 6 per cent or at a rate below 6 per cent or at the prevailing Bank rate, whichever was higher. A Chettiar trader, in need of short-term credit, therefore, found no difficulty in obtaining the same from another solvent Chettiar. Thus, the Chetty traders could meet their financial requirements with mutual help, and the wheels of the Chettiar banking business could roll on without a creak. This state of things came to be rudely disturbed by the development of the aforesaid Chetty crisis of 1925. Almost upon its heels came the world-wide economic crisis of the 1930's the ruinous repercussions of which did not obviously leave the Chettiar business men, whether in Sri Lanka or in Burma or elsewhere, untouched or unaffected. So far as the Chettiar business men in Sri Lanka were concerned, with the fall in the prices of cocoanut and rubber beyond their production costs, with the restrictive credit-policy of the British banks and with the non-recovery of their money lent to the Ceylonese farmers and traders, they (Nattukottai Chettiar) confronted a crisis too deep to overcome.

According to the memorandum of the Ceylon Nattukottai Chettiar Association, Colombo, published in Volume II of the Ceylon Banking Commission Report, 1934, the Nattukottai

Chettiar carried on their business in Sri Lanka through about 556 Chettiar Firms out of which 450 were the principal ones, which invested their capital, amounting to about 10 crores of rupees, partly in business and properties, partly in loans and advances and partly as bank deposits, as detailed below<sup>39</sup>:

A) Business and properties

1) Investment in about 50,000 acres of agricultural land and estates— 70 p.c. cocoanut, 15 p. c. rubber and 15 p.c. tea, cocoa, etc.	Rs. 3,00,00,000
2) Investment in the purchase of house properties in principal towns	Rs. 60,00,000
3) Investment as business-capital in retail shops, estate-supplies, rice-trade, import-business etc.	Rs. 1,00,00,000
Total (A)	Rs. 4,60,00,000

B) Loans and Advances

4) Investment in pawnbroking advances	Rs. 40,00,000
5) Investment in mortgages	Rs. 2,00,00,000
6) Investment in promissory notes etc.	Rs. 2,50,00,000
Total (B)	Rs. 4,90,00,000

C) Deposits in banks: Total (C)

Rs. 50,00,000

GRAND TOTAL

Rs. 10 crores

Considering the above investments from the point of view of their realizable value, P. R. S. Chettiar, Secretary of the Nattukottai Chettiar Association, observed in his memorandum to the Ceylon Banking Commission, 1934: There was no fear of realizing the 50 lakhs deposited in the Ceylon banks ; of the sum of 1 crore of rupees invested in retail shops and other trades, about 80 p. c. might be realizable ; the 60 lakhs invested in town properties might be realized according to the current prices of property ; in regard to the 40 lakhs, invested in pawnbroking advances, there might be a depreciation of the securities in the hands of pawnbrokers if the price of gold fell and, therefore, 10 p. c. of their investments might be unrealizable ; in view of the ruling prices of cocoanut and other estates, 50 p. c. of the 3 crores of rupees, invested in the purchase of estates, would have to be written off as unrealizable, and a similar 50 p. c. of the 4½ crores of rupees, invested in mortgages and liquid securities, might not be realized. Thus the Secretary of the Association came to estimate the value of the unrealizable Chettiar investments in Sri Lanka at about 4 crores of rupees.<sup>40</sup>

The Chettiar Firms were established in different parts of Sri Lanka, their number in Colombo, however, being comparatively large, as would be evident from their distribution throughout the Island : Colombo and its suburbs—180+20, Negombo—84, Kandy—50, Gampola—22, Galle—21, Madampe—18, Matale—17, Puttalam—16, Nawalapitiya—11, Kurunegala, Badulla and Jaffna and Kochchikade—10 each, Pussellawa—8, Kegalla and Hingula—7 each, Balangoda and Narammala—6 each, Ratnapura, Talawakale and Bandarawela—5 each, Matara, Batticaloa and Dikoya—4 each, Ambalangoda—3, Rakwana, Anuradhapura and Passara—2 each, Puwakpitiya, Dehiowita, Yatiyantota, Parakaduwa, Kahawatta, Nattandiya and polgahawela—1 each.<sup>41</sup>

The activities of the Nattukottai Chettiar in Sri Lanka were obviously concentrated mostly in Colombo and were essentially connected with banking and money-lending. They financed the Ceylonese traders and agriculturists. They also acted as pawnbrokers lending money, with interest charged on it, on the security of jewellery or other articles, pledged in their keeping. Pawnbroking was pursued by the Ceylonese as well. On a rough calculation, according to the evidence of

P. R. S. Chettiar,<sup>42</sup> there were about 100 Chettiar in Sri Lanka pursuing pawnbroking either as a main business or as a subsidiary one, their investment in the pawnbroking business being about 4 million rupees, as stated above. The total credit granted by all the pawnbrokers, Chettiar and Ceylonese, taken together, was estimated at 10 million rupees.<sup>43</sup> Every pawnbroker was required to take out a yearly licence from the Government Agent or his assistant under whose territorial jurisdiction he resided, and every pledge was redeemable within 12 months. If the amount of advance was Rs. 5 and the article in pawn was not redeemed within a year and the 7 days of grace, it became the pawnbroker's absolute property. For higher advances, the articles lying in pledge could, if unredeemed within the prescribed time-limit, be disposed of by sale by public auction. As regards the rate of interest charged by the pawnbroker, if the amount of loan was Rs. 20 or below, he could not claim more than 2 Cents per rupee per month but, when the loan was higher, the rate of interest was reduced to 2 Cents per month for every sum of one rupee and 25 Cents. In addition to interest, a pawnbroker could charge a fee 4 Cents for a pawn-ticket, which was reduced to 2 Cents if the loan was for Rs. 5 or below. The Chettiar pawnbroker was required to exhibit these particulars of information in different languages—English, Sinhalese and Tamil—at a conspicuous place of his shop.

Scattered throughout the country are the boutique-keepers whose financiers were the Nattukottai Chettiar during the heyday of their business. It is to the boutique-keepers that the cultivators must repair for the supply of seeds and foodstuffs, and it is to them that crops must be taken for sale. The estate labourers and the rural folk must likewise resort to the boutique-keepers to obtain petty loans and to buy the necessities of daily life on credit from them, the credit being repaid on getting their wages or after harvesting their crops. There was no taking of bonds or promissory notes, the credit being based on the personal knowledge of the borrower. Very rarely was there a deliberate default in spite of the want of the borrower's signature. The boutique-keepers, thus so very indispensable to the cultivators, estate labourers and to the rural folk alike, were debtors to the

Nattukottai Chettiar who charged 12 to 15 per cent interest on the credit facilities given to them.<sup>44</sup>

The Nattukottai Chettiar also invested their capital in land. As already stated, they owned 50,000 acres of agricultural land of which 70 per cent represented cocoanut estates, 15 per cent, rubber estates, and the remaining 15 per cent, tea and cocoa estates. They had their investments also in house-properties in principal towns, in mortgages, retail shops, and in rice-trade, as stated above. The import of rice and other foodstuffs had all along been in the Chettiar hands. On the whole, initially the proportion of the import-trade in the hands of the Ceylonese was negligibly small, but gradually it increased with the shrinking of the Chettiar trade.<sup>45</sup> Just as the Nattukottai Chettiar imported rice to Sri Lanka, where it was scarce, from India and Burma, where it was procurable in abundance, so did they import silver rupees from India, where they circulated in abundance, to the Island, where they were scarce, though indispensably required for financial transactions, as discussed above. Indian currency-notes of denominations lower than five rupees were not also available in Sri Lanka. But small payments to be made to the agricultural and estate labourers required the circulation of silver rupees or one-rupee currency-notes on the Island. Again, of the two media of exchange, preference was, for obvious reasons, given to the former. Small payments to labourers and artisans could be made and the entire minor business of the country, transacted through silver alone. Gold was considered absolutely unsuitable for the purpose because of its units being of much higher value. Sri Lanka, therefore, needed silver rupees which the Nattukottai Chettiar imported from the country of their origin. The cheapest mode of import was by native vessels, the shipment charge of a bag of 2,000 rupees being only about 2 rupees.<sup>46</sup> The imported silver rupees were sold by the Nattukottai Chettiar to the British planters and British business houses with a good margin of profit. And all this before the establishment of British commercial banks in Sri Lanka. Thereafter, the Nattukottai Chettiar switched over to money-lending as their principal occupation in the country. They brought into Sri Lanka enough capital of their own. They utilized their credit facilities with the British exchange banks to the fullest

extent. They re-loaned, on a short-time basis, the loan they took from British banks, which was to the tune of 25 million rupees, and also lent their own capital, on a long-term basis, to finance the Ceylonese exporters and importers, retail-traders, pawnbrokers, farmers, estate-owners, cocoanut-millers and arrack-dealers, all of whom had at one time or another to solicit and obtain financial accommodation from them. Thus Sri Lanka owed a great deal to the Nattukottai Chettiar for her economic development as did Burma, Malaya and the former French Indo-China in the colonial epoch. Burma was then the chief centre of the Chetti money-lending operations. There were Chetti shops in the interior-most villages of the province, Kattukadais as they were called, where the customers were mainly agriculturists. Loans were issued to them on pro-notes, called Vennalai documents, and on mortgage bonds at the rates of interest varying from 12 to 15, 18 and 24 per cent.<sup>47</sup> Money-lending flourished in Burma during the cultivation season from September to March. Loans were repaid with interest due thereon by the agriculturists by selling their produce of paddy and rice when their prices showed an upward tendency. About 50 per cent of the produce went to the Nattukottai Chettiar by way of repayment of the loans made by them. In Rangoon itself, the Chettiar's money-lending business involved an investment of over 5 crores of rupees. Money-advances were made not only to the agriculturists but also to the traders, the owners of rice-mills and saw-mills and to others requiring financial accommodation. In the Federated Malay States, money was advanced on the security of rubber gardens, house-properties, tin mines, and on the share certificates of Companies. The money-lending business in the Federated Malay States flourished not for the fraction of a year, as in Burma, but was fairly continuous throughout a year, the rate of interest ranging from 12 to 36 per cent.<sup>48</sup> In French Indo-China, loans were similarly advanced by the Nattukottai Chettiar to the agriculturists, rubber-garden owners and to the importers and exporters of goods in the sea-port towns.<sup>49</sup>

The accusations normally laid at the door of the Nattukottai Chettiar as money-lenders in Sri Lanka are, according to the evidence before the Ceylon Banking Commi-

ssion, 1934, the following<sup>50</sup>: (1) In order to dodge the stipulations of interest, as in the Money-lenders' Ordinance, the Nattukottai Chettiar resorted to the practice of compelling the borrower to make fictitious entries in promissory notes and other documents of debt, so that on the face of it the transaction might appear to be "within the four corners of law", though, in reality, they might have illegally greater return of interest. (2) Their policy of deducting interest in advance and of recovering the balance of loan in instalments without allowing any rebate on the interest, deducted in advance, actually led to the realization of more interest than was due from the borrowers. (3) The rate of interest (13½ per cent per annum), charged by the Chettiar, was high. (4) The liquidation of debt by the acquisition of the borrower's properties led to the transfer of lands and buildings from the Ceylonese people to the non-Ceylonese. (5) Many borrowers whose lands and estates were thus sold in satisfaction of their debts were deprived of their hearth and home and the means of their livelihood, too. (6) The Chettiar's profits on their business led to a drain of wealth from Sri Lanka to India.

On a careful examination of the above accusations, the Commission offered the following comments<sup>51</sup>: The first three charges were of a general character and could hold good in the case of almost every other money-lender. It should, however, be said in all fairness to the Chettiar that their actions were cleaner than those of the ordinary class of money-lenders. Except perhaps with the object of getting more interest than what the law allowed them, they did not obtain fictitious documents or resort to the practice of making false entries in promissory notes or accounts. As regards the accusation that the Chettiar acquired the borrowers' properties in satisfaction of their debt, the Commission held, on the strength of the unanimity of evidence, that the Chettiar were not at all anxious for acquiring properties by way of exchanging their mantle of bankers for that of landlords. Their ideal business was to deal in cash and in cash-obligations. It was against the very spirit of their business that they should lock up their funds in lands and buildings. Whatever estates they bought they were prepared to part with even at a loss. The Commission's conclusion was that the Chettiar creditors

were forced to take over the properties of the borrowers when they found that the latter, without repaying their debt or without coming to some reasonable understanding with them, evaded them and, at times, even adopted a threatening attitude. As regards the drain of wealth from Sri Lanka to India through the Chettiar's profits in business, the Commission held that there was no real drain: 'If they had a continuous run of good luck and did not reinvest their profits, we would say that it was so, but their losses through depression and (their) buying of properties considerably modify that case. Instead of their taking out, on balance, it may turn out to be the question of (their) bringing in, money. Even if we omit these mitigating conditions, they are no more to blame than any other foreigners working in Ceylon'.<sup>52</sup> The Commission did not, on the whole, consider the Chettiar's rate of interest high. In its opinion, their rates were usually under the limits sanctioned by legislation. It was only in exceptional cases, where the risk was great, that they tried to evade the law and that, too, was perhaps attempted by the lower class Chettiar. The Chettiar-system of giving loan involved risk, no doubt, the risk arising mainly from the fact that the credit allowed by the Chettiar was too facile. A Chettiar often lent money merely on the strength of the personal knowledge of the borrower, without being very particular about the scrutiny of the borrower's securities. This encouraged reckless borrowing and made the repayment of the loan difficult. The creditors had to appeal to law for the recovery of their loans. This appeal to law entailed upon them legal and extra-legal expenditures which were irrecoverable from the borrowers. The Chettiar money-lenders were, therefore, thrown upon the necessity of making up their loss by increasing the rate of interest. Thus viewed, the Chettiar-rate, as the Commission held, should not be pronounced high. In his evidence before the Commission, P. R. S. Chettiar also sought to justify the Chettiar's rate of interest as not being too high: 'A complaint that is generally made against the Chettiar money-lenders is his high rate of interest. Leaving aside the case of petty lenders, it is correct to state that the average rate of interest charged by a Chettiar Firm from his customer is 13 $\frac{1}{2}$  per cent per annum. If the Chettiar had to borrow his money from bank, he would have to pay

(interest) at an average rate of 9 p. c. per annum plus an average commission of 1½ p.c. We submit that the difference of 3½ p. c. is hardly sufficient to cover the extraordinary risk which a Chettiar money-lender takes in his transaction.<sup>53</sup> Endorsing the above view, the Commission observed: '...We do not think that the margin of 3½ per cent per annum is usurious, because the loss has to be regarded as being recouped from earnings from interest.'<sup>54</sup>

A usurious transaction or not, money-lending fell into disfavour of the Nattukottai Chettiar in the long run. Explaining the reasons why they decided to discontinue their money-lending business in Sri Lanka, P. R. S. Chettiar stated before the Commission that from about 1925 the prices of the commodities grown in Sri Lanka began to show a downward tendency, with the result that the banks, anticipating a depreciation of the securities in their hands, began to call in their outstanding dues from the Chettiar business men and from others. A well-known Chettiar Firm which had been doing extensive business throughout the Island failed to liquidate its dues to the banks. The failure of the Firm infected the Chettiar community, in general, with nervousness. The banks also became anxious about the recovery of the outstanding debts from the Chettiar community. The Chettiar money-lenders began to collect as much of their dues as possible from their own clients to meet their obligation to the banks. Meanwhile, in 1929-1930, the world-wide economic crisis set in, the prices of rubber and cocoanut fell to a low level, and the introduction of Income-Tax became imminent. The Chettiar remitted back a large amount of their money to India to avoid the payment of double Income-Tax. They now settled down to a more restricted credit policy, and many among them abandoned money-lending altogether.

And, yet, who will belittle the significance of the role of the Nattukottai Chettiar in the economic life of the British Ceylon or will underestimate the services they rendered to all classes of people, from the British planters and British business men at the top right down to the boutique-keepers, Kangani and estate labourers? When Ceylon of the early 19th century could offer no banking facilities to the British planters and British business houses, it was the Nattukottai Chettiar who functioned as their bankers by helping them to encash

their Sterling bills and by importing silver rupees from India to facilitate their making small payments in Sri Lanka. With the establishment of the British exchange banks, the Chettiar lost their dominant position among the British planters and business men as their bankers. Nevertheless, they remained a vital part of the country's economic life. After the British exchange banks had come into being, they formed an indispensable link between those banks and the vast body of the Ceylonese borrowers. In other words, they continued to be the main source of credit to the Ceylonese agriculturists, traders and boutique-keepers. As observed by the aforesaid Ceylon Banking Commission, 'among private financiers, the place of pride must be given to the class of bankers and money-lenders, popularly known as Chetties or Chettiar. While walking through the streets of Colombo, Negombo, Kandy or any other big town in Ceylon, one cannot fail to be attracted by the name-board of a Chettiar with various letters of the alphabet preceding his surname. Their business in money is so well-known and vast that their name is synonymous with private banking'<sup>55</sup> Indeed, the Nattukottai Chettiar contributed, in no small measure, to the economic development of Sri Lanka. British business men had at their disposal British capital to finance their own enterprises but the Ceylonese people could expect no such financial help from the British funds. Neither had they any savings of their own to sustain their economic endeavours. So, they turned to the Chettiar money-lenders and got a ready and encouraging response. The Chettiar, who lent money with the unheard-of facility, without being very particular about the ability of the borrower to repay the loan or about the securities or the normally defective title-deeds to the lands mortgaged, were willing to accommodate all—genuine business men, speculators and the spendthrift alike. 'They lent as readily to the exporter of desiccated cocoanut as to the impecunious land-owner trying to raise a dowry for his unmarried daughter.' P. R. S. Chettiar's memorandum is eloquent on the contribution of the Nattukottai Chettiar to the development of the agriculture, industry and commerce of Sri Lanka: 'A few words may not be out of place in regard to the part that the Nattukottai Chettiar community has played in the development of the agriculture, industries and commerce of Ceylon.

With the exception of a few Ceylonese, who had facilities for obtaining credit from the local banks, the bulk of the Ceylonese had to resort to the Chettiar money-lender in order to be financed in their various undertakings. The Chettiar went forward boldly to the rescue of the Ceylonese applicants for loans of money. He lent both on mortgages as well as otherwise. In view of the admitted fact that the law of title to land in Ceylon is highly complicated, it is really commendable that the Chettiar invested so freely in the mortgage of Ceylon lands. Large acreages of Ceylon jungles and waste lands have been opened up and cultivated with cocoanut, with the aid of money borrowed from the Chettiar community. Several industrial and commercial undertakings have been freely financed by them, and the petty trader and retailer had to depend entirely upon the Chettiar for financial assistance. A noteworthy feature of all those transactions is that money became available to the Ceylonese borrower at a moment's notice in any part of the day or night without his being obliged to go through the formalities which a borrower had to experience elsewhere.<sup>56</sup> The Nattukottai Chettiar were no less helpful to the Kangani and the estate labourers. During their periodic or occasional visits to South India, the Tamil estate labourers used to carry a portion of their savings—the major portion they remitted through Post Offices—in the form of Chetty drafts or Chetty demand drafts, called **hundis**,<sup>57</sup> which the Chetty money-lenders in Sri Lanka issued on the **hundi** shops in many of the South Indian towns and villages having financial transactions with them. The Kangani also used to carry their 'coast advances' to Madras, in connection with the recruitment of labourers, in the form of **hundis**, without taking the risk of carrying much silver personally. Thus, both the labourers and the Kangani avoided the possible risk of theft or loss of silver rupees en route to the Indian coast, by purchasing **hundis** from the Chettiar money-lenders. According to Savarinatha Pillai's monograph on the Nattukottai Chettiar's Banking business, 50 per cent of the Nattukottai Chettiar in Sri Lanka had business in **hundis**.<sup>58</sup>

With all their services as money-lenders, the Nattukottai Chettiar were often condemned as 'Shylocks and blood-suckers'. They were accused of borrowing money from banks

at an average rate of 8 per cent and of lending money at rates varying from 13 per cent to 100 per cent,<sup>59</sup> although the Chettiarss themselves claimed that their average rate of interest was only 13½ per cent.<sup>60</sup> Despite their high rate of interest, the high rate being justified by P. R. S. Chettiar,<sup>61</sup> the rural sector of the economy of Sri Lanka, constituting the bulk of the indigenous population, who lay outside the pale of the facilities of the British banking system, used to resort to the Chettiar money-lenders for getting the much-needed funds from them. It is difficult, indeed, to guess what would have been the fate of the economic endeavours of the indigenous population, had there been no Nattukottai Chettiarss to render them the monetary aid they required.

In the present economic set-up of Sri Lanka, wedded to the post-independence policy of the nationalization of her economy, the Nattukottai Chettiarss are no longer a name to conjure with in the banking business and money-lending field of the country. Today they are an almost forgotten community in Sri Lanka. The economic activities of the few, who still remain there, are restricted only to trade and the ownership of estates.<sup>62</sup>

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#### FOOTNOTES

- 1 Agent's Report, 1943, Para. 11, pp. 7-8.
- 2 Ibid., 1943, 1944.
- 3 Ibid., 1944, Para. 41, p. 8.
- 4 Ibid., pp. 8-9.
- 5 Ibid.
- 6 Ibid.
- 7 Ibid., Paras. 44-46, pp. 9-10
- 8 Ibid., Para. 49.
- 9 Ibid., 1942 Para. 56, pp. 22-23.
- 10 Ibid., Para. 51, p. 11.
- 11 Jackson Report—Ceylon Sessional Paper III, op. cit., p. 22.
- 12 Ibid.

13 N. A. of India, Dept. of Edu. H. and L., Overseas Br., Progs. A 10-55, July 1923.

14 Lok Sabha Debates, Vol. LIII of 1961, 2nd Series, 13th Session, Col. 10195.

15 For 1924—Ceylon Administration Report, 1925—Report of the Controller of Indian Immigrant Labour, 1924, Chap. XVIII. For the years from 1929 to 1944—Ceylon Administration Report, 1945, p. 052. For 1946 and 1947—Ceylon Administration Report, 1946 and 1947. For 1948, 1956-58, and from 1. 1. 1961 to 30. 9. 1961—Administration Report for the Commissioner of Labour, 1948, 1956-58, and January-September 1961 respectively.  
Estate labourers' remittances for 1924, 1929-44, 1946-48, 1956-58 and for January-September 1961, already mentioned in Chapter II ( pp 55-56 above ), have been repeated here for the sake of calculating Indian traders' remittances from Sri Lanka to India.

16 W. S. Weerasooria, The Nattukottai Chettiar. Merchant Bankers in Ceylon, pp. 9-12.

17 Ibid., p. 11.

18 Ibid., p. 12.

19 Ibid., p. 12.

20 According to Madras District Gazetters, Madurai, edited by B. S. Baliga ( p. 110 ), it is doubtful whether the word, Nattukottai, is a corruption of Nattarasan-Kottai, the name of a small village near Sivaganga, the word being derived, it would appear, from Nattukottai or country fort. As to the origin of the word Chetty, it is derived from the sanskrit word, shreshthi or the head of a merchant guild. The Nattukottai Chettiar are also called Nagarathars or town-dwellers because of their being grouped into 9 Nagarams or 9 temple townships for social purposes, each such township having its own community of worshippers.

21 The Nattukottai Chettiar were compelled to abandon the Chola country, according to Tamil Nadu District Gazetteer, Ramanathapuram, edited by A. Ramaswami ( 1972 ), because the Chola king persecuted them, when they refused to give their daughters in marriage to him ( p. 146 ). According to another version, the Nattukottai Chettiar incurred the displeasure of the Chola king by flouting his orders that they should join others in protecting the capital city from the flood of the Kavery. The Chola king subjected them to a series of punishments and finally expelled them from the Chola country. ( circa 700 A. D. ) Vide Weerasooria, op. cit., p. 3.

22 Madras Provincial Banking Enquiry Committee, Vol. III, 1930, p. 1170.

23 Ceylon Sessional Paper XXII, 1934—Ceylon Banking Commission Report, Vol. I, Para. 160, p. 40.

24 Madras provincial Banking Enquiry Committee, Vol. III, Monograph on Nattukottai Chettiar's Banking business. Written evidence of A. Savarinatha Pillai, p. 1170.

25 Ceylon Sessional Paper XXII, 1934—Ceylon Banking Commission, Vol. I, op. cit., Para. 160, p. 40.

26 H. A. de S. Gunasekera, From dependent currency to Central Banking in Ceylon p. 23.

27 B. R. Senoy, Ceylon Currency and Banking, p. 91.

28 Gunasekera, op. cit., p. 23.

29 Ceylon, Sessional Paper XXIII, 1934—Ceylon Banking Commission Vol. II, evidence of Indian Mercantile Chamber of Ceylon, Colombo.

30 Ceylon, Sessional Paper XXII, 1934—Ceylon Banking Commission, Vol. I, op. cit., Para. 169, p. 42.

31 Ibid., Para. 159.

32 Ibid., Para. 165, p. 41. The Association is currently known as the Chettiar Chamber of Commerce, located on Sea Street, Colombo II. Vide Weerasooria, op. cit., p. 158.

33 V. Krishnan, The Indigenous Banking in South India, p. 33.

34 P. J. Thomas, Nattukottai Chettiar, Their Banking System, in Raja Sir Annamalai Chettiar Commemoration Volume, pp. 840-54

35 Vide Weerasooria, op. cit., Chap. V, for an elaborate discussion on Vilasam.

36 The Madras Provincial Banking Enquiry Committee, Vol. 3, op. cit., p. 1172.

37 Ceylon, Sessional Paper XXIII of 1934—Ceylon Banking Commission, Vol. II, p. 67. Evidence of P. R. S. Chettiar, Secretary of the Ceylon Nattukottai Chettiar's Association.

38 Ceylon Banking Commission, Vol. I, op. cit., Para. 168, p. 42.

39 Ibid., Paras. 166 & 167, pp. 41-42. Also Ceylon Banking Commission, Vol. II, Memoranda and Evidence. op. cit., pp. 66.

40 Ceylon Sessional Paper XXIII, 1934, op. cit.

41 Ibid.

42 Ceylon Sessional paper XXVIII, 1934—his memorandum before Ceylon Banking Commission.

43 Ceylon Sessional Paper XXII, 1934, op. cit., Para. 183, p. 46.

44 Ibid., Paras. 198-99, 203

45 Gunasekera, op. cit., p. 192.

46 Ibid., p. 134.

47 Madras Provincial Banking Enquiry Committee, Vol. III, pp. 1176-1177.

48 Ibid., p. 1177

49 Ibid.

50 Ceylon Sessional Paper XXII, 1934—Ceylon Banking Commission, Vol. I, op. cit., Para. 174, pp. 43-44.

51 Ibid., Paras. 175-181, pp. 44-46.

52 Ibid., Para. 181, p. 46.

53 Ceylon Sessional Paper XXIII, 1934, op. cit., pp 66, Evidence of P. R. S. Chettiar.

54 Ceylon Sessional Paper XXII, 1934, op. cit., Para. 176, p. 45.

55 Ibid., Para. 159, p. 40.

56 Ceylon Sessional Papers XXIII, 1934, op. cit., pp. 66.

57 The forms of hundis in use were the following : (a) Darsanai hundi payable at sight or on demand ; (b) the hundi payable after a specified period, e.g. forty days after the date of execution ; (c) the hundi bearing nadappu or current rate of interest till date of encashment.

58 Madras Provincial Banking Enquiry Committee, Vol. III, 1930. op. cit.

59 Gunasekera, op. cit., p. 205.

60 Vide p. 162 above.

61 Ibid.

62 Weerasooria, op. cit., pp. XXii, 157.

## CHAPTER V

### PROBLEM OF EDUCATION OF THE CHILDREN OF ESTATE LABOURERS

The policy of the British planters in Sri Lanka since the beginning of immigration had been to encourage the Tamil labourers, through inducements in the form of free pastures, free lands and many other fringe benefits, to settle permanently on the estates with their families, with a view to ensuring the certain availability of sufficient labour for plantations all the year round. The policy bore fruit. Gradually, the Tamil labourers brought their families from India and settled permanently on the estates, visiting their ancestral homeland only occasionally and returning after a short stay there. The permanent residence of the labourers with their families on the estates created a new problem. It was the problem of providing educational facilities for their children. The problem acquired a complicated dimension as years wore on, with the result that Commissions were appointed, Ordinances were promulgated, Parliamentary debates were held and White Papers were issued, as and when necessary. The controversy over the medium of instruction and the non-accessibility of the estate children of Indian origin to higher studies made the issue of education all the more complicated, especially after the achievement of independence by the country. The Tamil labourers immigrated into Sri Lanka and settled there when the Island was a British colony. As in other countries within the British colonial empire, in Sri Lanka also, the responsibility for promoting education of the native,

that is, Ceylonese children was assumed by the British colonial government of the Island. It was, however, none of its responsibility to provide for education of the non-Ceylonese children. It was the British planters that imported the Tamil labourers into Sri Lanka in their own vested interests and prevailed upon them to settle upon estates with their families. Primarily, therefore, it was the planters' obligation to found schools for the labourers' children and to equip them with every other facility for their education. Government's responsibility was only secondary at the initial stage. It then discharged that responsibility by giving only financial aid to the schools established by the planters. Later on, Government itself set up a few schools for the estate children. Until

1866-67, however, education of the estate

**Position until 1866-67** children does not appear to have received any attention either from the planters or from Government, as would be evident

from the following despatch of 6 March 1867 from the Governor of Sri Lanka, H. G. R. Robinson, to the Secretary of State for Colonies, Lord Carnarvon : "There are few, if any, schools on the estates, so that it may almost be said that immigrant coolies receive no secular instruction. In some districts, clergymen and catechists are in the habit of visiting the estates but the good result of their teaching is generally reported to be scarcely appreciable."<sup>1</sup>

The records relating to education of the estate children, as in 1903 and 1904, show that both the planters and Government were no longer indifferent to education of the estate children.

**Position in 1903 and 1904** The planters evinced their sense of responsibility by founding a few schools for the estate children, though the number of such schools was most inadequate. Government

also stimulated the planters' efforts by starting government schools for the estate children. The zeal of the missionary organizations for the cause of the estate children's education was also in evidence. The Education Report of the Director of Public Instruction, Sri Lanka, S. M. Burrows, for 1904 yields the information that in 1903 there were 43 registered schools (2 Government, 5 under private management and 36 under missionary management) on 43 out of 1,857 estates, the schools being attended by 1765 children out of 25,000 children

of school-going age.<sup>2</sup> Out of these 1,765 children, 1,598 were boys, 'the enormous majority' of whom, as Burrows reported, did not proceed beyond the second standard. At the end of 1904, the total number of schools for the estate children stood at 359—2 Government schools, 58 Aided schools and 299 Unaided schools.<sup>3</sup> The condition of the estate children's education, as in 1903 and 1904, though better than before, was, however, far from being, on the whole, satisfactory, notwithstanding Ridgeway's (Governor of Sri Lanka) claim that 'there were (in 1903) very few estates upon which facilities for education did not exist.'<sup>4</sup> Contradicting Ridgeway's claim, A. G. H. Wise, an old planter, held that, except on the 43 estates referred to above, little or no regular education was provided for the Tamil children on the remaining estates. Being an old planter, Wise had the privilege of gaining first-hand knowledge of the state of education in different plantations. His statement on the condition of education on estates, as in 1903-1904, may, therefore, be taken as true to fact. It was supported by John Harward who succeeded Burrows as the Director of Public Instruction. Confirming Wise's statement Harward stated: 'It is not unfair to say that there is hardly any proper educational provision for the children of the Tamil Estate Cooly.'<sup>5</sup> Wise, therefore, suggested that the planters should be obliged to provide suitable school buildings on estates and to assume responsibilities for their upkeep as also for the payment of salaries to teachers, while the Government should continue the existing system of giving grant-in-aid to the estate schools or even, as urged by the Chairman of the Planters' Association, A. C. Kingsford, should increase the grant-in-aid on a more liberal scale.

Wise was a zealous advocate of the cause of the estate children's schooling and did not tire of inviting attention of the government and planters alike to the lack of adequate schooling facilities for the children of the Tamil estate labourers. On 7 December 1903, he read a paper<sup>6</sup> under the title 'Education in Ceylon—A plea for estate schools' at a meeting of the East India Association at the Westminster Palace Hotel, with Sir Lepel Griffin in the chair. Advocating the institution of schools for the estate children in his paper, Wise explained the baselessness of the apprehension that the

proposed schools would 'unduly' interrupt work on estates. Estate work would be undisturbed, he held, if, for the working children, school hours were arranged from 3 in the afternoon to 6 in the evening and, for those too small for plantation work, classes were held in the morning. The curriculum, as he suggested in his paper, should be as easy as possible. Every child should be taught to read and write his own language and to acquire the knowledge of simple arithmetic. The curriculum should also include elementary geography and **national** history, as also such other subjects as were taught to the Sinhalese children at the primary schools. Wise pleaded for the free schooling of the estate children. If it was not found feasible to provide for their gratuitous instruction, he suggested, as a way out, that small sums could be deducted from the children's earnings or from the earnings of their parents by way of tuition fees, the amounts collected being entered in the monthly check-roll and remitted to the authorities once a quarter. Refuting Ridgeway's contention that the planters would oppose, and the Tamil parents themselves might resent, compulsory education of the estate children, Wise pointed out that a certain number of planters had already instituted schools on their own initiative and that it was improbable that the Tamil parents would offer any serious opposition to a measure which would ultimately benefit their own children, if their schooling did not reduce their earnings to any great extent. Wise further stated that on some estates labourers had already started schools for themselves and concluded his paper with the remark that such being the case, both the planters and labourers would welcome the advantage of an improved, well-organized and systematic schooling of the estate children.

In his concluding speech, the Chairman, Sir Lepel Griffin, appreciably stressed the need for the estate children's education : 'Mr. Wise has proved his point, and Government should insist—I say insist—that on all estates, governed by Englishmen or English Companies, the children of school-going age on those estates should have not intensive but reasonable facilities for obtaining primary education. It is very little to ask, and I think that neither would planters be oppressed by it nor would Companies at all object to it...I think it is a duty which every Company and every English

planter owes to the children working on the estate. If the excuse be made that it takes their hours of work, I think the hours of work should reasonably be curtailed under such conditions as to allow some sort of training.<sup>7</sup>

Wise read his Paper on 7 December 1903, and on 17 December of the year, the Director of Public Instruction, J.

**Circular of  
J. Harward, D.P.I.** Harward issued a circular<sup>8</sup> explaining, for the information of the planters, the terms and conditions on which Government grant-in-aid could be obtained for estate schools and the procedure for the registration of the schools. To obtain grant-in-aid an estate-manager would first provide a 'suitable' school-building, equipped with necessary furniture, and appoint a competent teacher who would follow a prescribed time-table and maintain registers of admission and attendance in accordance with rules. The average attendance at a school should not fall below the minimum of 15 children. A school-building should cover an area which would allow 8 square feet for each child in attendance. A room measuring 30 feet by 16 feet would, accordingly, be sufficient for the average attendance of 60 children. The furniture of a school-building should consist of a sufficient number of benches, a few desks, a black-board for each teacher and of a map for each Standard above the third. An estate school would be a primary school with a provision for the 5 lowest Standards where vernacular would be the medium of instruction. The curricula in the three lowest Standards would comprise reading, writing and arithmetic only, while the curricula in the 4th and 5th Standards would include geography, in addition to the three R's. Girls should be taught needlework as an extra subject. The time-table of a school should make provision for a session of 3 hours or for 2 sessions of 1½ hours each, exclusive of any time devoted to religious knowledge.

As regards the procedure for the registration of an estate school in accordance with the D.P.I.'s circular in question, the formal application for registration should not be submitted until the school had been in existence for three months. After the expiry of a further period of three months from the date of the submission of the application, decision regarding registration would be taken on the basis of a report on the

school-building, furniture, attendance etc., submitted by an Inspecting Officer of the Department of Public Instruction.

Harward expressed the hope in his circular that, if the estates combined for the purpose of founding schools, the institution of a larger number of schools might be possible and that Government grant-in-aid might also be more easily obtained. But the lack of necessary buildings and the non-availability of good teachers tied the hands of Government in giving financial aid to the planters for running estate schools. Planters also were not very keen to obtain Government aid because of Government's insistence on a three-hour session, which proved prejudicial to the planters' interests by reducing the output of work expected from the working children. Some planters, therefore, themselves started un-aided or private schools, with vernacular as the medium of instruction, in such estates as Delta Hauteville, Mahadova, Midlands, Bloomfield, Asgeria, Allakolla, Spring Valley, Cocogalla and Toonacombe.

On 23 May 1904, the Colonial Secretary appointed Burrows to enquire into, and report on, education of the children of the Tamil estate labourers.<sup>9</sup> Burrows began his investigation with a prejudiced mind and submitted a colourless report. He reported that there was neither any question of teaching English to the estate children nor any necessity for making provision for the teaching of girls for some years to come. On the teaching of adults, he held that it must of necessity be a voluntary matter. Therefore, the sole question which engaged the attention of Burrows was whether the Tamil immigrant children of school-going age were provided with adequate facilities only for acquiring rudimentary knowledge of reading and writing Tamil and of simple arithmetic. Accordingly, he carried on his enquiry with the assumptions that the Tamil children had no need for higher education and that it would suffice if they could sign their names and recognize signatures, read and write simple sentences in Tamil and could learn simple arithmetic so as to be able to keep simple accounts of their wages and expenses. Burrows also considered it advisable that the Tamil children should also know how to acquire the habits of discipline and obedience and learn what 'fair dealing', 'equality before the law' and 'the freedom of contract' meant. Such an education—the three R's combined with discipline and obedience—would, as Burrows held in his Report,

make the Tamil children ideal workers on estates, even worthy of Kanganiship in future.

Burrows reported further that the planters were lukewarm in welcoming the financial aid offered by both the Government and the missionary organization for education of the estate children and were, in consequence, not favourably disposed towards aided schools on the estates. The foremost reason for their disfavouring aided schools was the requirement that such a school must have a session of three hours (except in the case of boys above 11), which interfered with the work of the children on plantations and consequently led to their less plucking of tea-leaves and to their less earning. The three-hour school-session thus indirectly prejudiced the interests of the children's parents and of the planters alike. It was not surprising, therefore, that grant-in-aid and aided schools did not find favour with both of them. There were other reasons, minor though, why the system of grant-in-aid was disfavoured by the planters: (1) As a condition preliminary to taking grant, a planter was obliged to provide a suitable school-building, which meant a heavy financial burden imposed on him initially. He had, moreover, to wait for a year or 18 months before he could expect the grant. (2) During the period of school examination the children were not available for estate-work. (3) Tamil school masters suitable for teaching in estate schools were hardly available. (4) The planters found it very difficult to follow grant-in-aid regulations which appeared to them 'tedious' and 'complicated'. It was no wonder, therefore, that the planters were not in favour of aided schools for the Tamil estate children.

In the course of his enquiry into education of the estate children, Burrows issued a circular to 1,320 estates, calling for information about various aspects of education of the estate children. Out of the 1,320 estates, 725 responded and furnished the following information with reference to their registers, closed on 3 August 1904:

Average number of immigrant Tamil boys of school-going age	21,045
Number of boys who have already obtained rudiments of education	7,721

Number of estates where teaching arrangements exist	409
Number of estates taking advantage of schools in the neighbourhood	119
Number of estates not taking advantage of schools in the neighbourhood	39
Number of estates in which no teaching whatever exists	145
Number of estates in which the principal Kanganyes send their children elsewhere to be educated	65

From the above details of information supplied by the 725 estates it appears that the progress of Tamil children's education by 1904 left much to be desired, though Burrows's conclusion was that more was being done for education of the Tamil immigrants by means of 'line schools' than was generally supposed.<sup>10</sup>

Burrows's successor, John Harward, had his own views on the nature of education to be provided for the estate children. He insisted on a course of instruction which would meet the

**Harward's view on the nature of education for the estate children**

particular needs of the Tamil children and, at the same time, would not unfit them for pursuing the occupation of their parents. The existing 'line schools' might afford a basis for such a programme of instruction.

Harward also desired that the hours of estate work for the children attending schools be limited and that the whole cost of education or, at any rate, a large part of it be thrown on the labourers themselves who earned good wages.<sup>11</sup> The course of instruction, as envisaged by Harward, was to consist of the three R's, as before. A tuition fee of 25 Cents per child, in accordance with Harward's suggestion, was approved by the planters. In the Bloomfield Mixed Estate School, which had an average attendance of 29 children in 1904, each child attending school paid the tuition fee of 25 Cents per month.<sup>12</sup> On the whole, however, education in estate schools was provided free of charge.

By 1904, the question of education of the estate children aroused considerable interest in the country. It formed a topical subject of discussion even through letters and correspondence.

**Views of Renton,  
an experienced  
planter, on the  
estate children's  
education**

J. H. Renton, known to have been engaged in planting and mercantile pursuits for 25 years, wrote to Alfred Littleton, M. P., on 31 August 1904, informing him of the early difficulties he had to meet and the early hurdles he had to

cross before he could induce a respectable number of estate children to join the school he set up on one of his properties. He started the school in 1880 with the children of conductors (native superintendents) on neighbouring estates and of kaddy-keepers (native shop-keepers) from the nearest bazaars and with only one estate child, the son of his Head Kangany. He urged the Kanganies to induce the estate children to attend his school even for half a day but his efforts proved unavailing. He offered to give the children a full day's pay with half day's work, they being required to go to school at one o'clock in the afternoon. They were quite willing to cease work at one o'clock and draw full day's pay but they did not enter the school room. He then resorted to compulsion in the form of refusal to issue rice to the children if they refrained from attending school. The step was resented by their parents and had ultimately to be given up. The parents took a long time to appreciate the attendance of their children at his school which, by 1904, stood out as one of the flourishing estate schools. It was the time when coffee was the main plantation crop. It was then exceedingly difficult to give employment to the children all the year round, because, with the exception of picking and weeding for which alone they were the most suitable, no other work could be assigned to them. In other words, they could be employed only in times of picking and weeding and, for the rest of the year, they were off employment. Even picking and weeding were often allotted to the elderly workers, and work was found for children as a matter of policy and charity. The substitution of tea plantation for coffee cultivation completely changed the situation. On tea estates children found employment all the year round. But even during the coffee period, when the estate children were off employment for a large part of the year, as Renton wrote to

Littleton, it was with great difficulty that they could be persuaded to attend his school. In this connection, Renton raised the question of Sri Lanka's obligation to provide education for the Tamil children. His contention was that they formed a transitory population on the Island and should remain in India till they completed their education there and that Sri Lanka should have no responsibility for their education. He further wrote: 'If it be known on the Indian coast that the children will be compelled to go to school in Ceylon and that the earnings of the family will thereby be curtailed, I feel certain that this fact will act as a great deterrent to emigration and that the difficulty, now so acute, of obtaining sufficient labour for the tea plantations in Ceylon will be tremendously enhanced.'<sup>13</sup> Renton's misgivings found no echo in the minds of other planters. Generally speaking, planters felt obliged to provide for the schooling of the estate children of Tamil origin.

On 20 January 1905, the Ceylonese Government appointed a Commission under the chairmanship of Herbert Wace to enquire into, and report on, the country's elementary education.<sup>14</sup> According to the findings of the Wace Commission, elementary

education under state control was provided through Government and Aided schools. While the Government schools were under the control of Director of Public Instruction, the Aided schools were managed by religious bodies and private individuals, both being under the over-all inspection of the Department of Public Instruction which sanctioned a grant to both the categories of schools on the results of the annual examination held by them. The Tamil children attended both Aided and Un-aided schools where no tuition fees were charged. The total number of schools, noted by the Commission at the beginning of 1905, was 359 (2 Government, 58 Aided and 299 Un-aided). Of the Un-aided schools, 120 were held in buildings or rooms provided by estates and 179 in the labourers' lines. The Commission did not supply the exact strength of the estate children receiving education but gave the total number of the country's children at school at the beginning of 1905, namely 7,607, of whom 6,949 were boys and 658, girls. The Commission did not consider it desirable that there should be any provision for general education

in estate schools. 'If we give the labourer the education which will fit him to be a clerk', the Commission observed, 'the results are naturally bad for the community.' Simple lessons on objects and pictures should be much more frequently given, the Commission held, and singing and recitation of poetry should form a regular part of the school work. Geography, according to the Commission, should not be a compulsory subject of study in estate schools. On the question of compulsory school-attendance by the Tamil estate children, the Commission observed that, while there were grave reasons against introducing a hard and fast system of the estate children's compulsory school-attendance, it was not fair that a large number of them should grow up in a state of ignorance, which would leave them at the mercy of others. The planters, therefore, should see to it that the children who grew up on their estates should receive the necessary minimum of instruction in reading, writing and arithmetic, which would protect them from being at a disadvantage in their dealings with others. The Commission, however, desired that the Government should leave the planters free in organizing education of the estate children in the way they would find most suitable. Those among the planters, who would establish schools in accordance with the Education Code, should receive every encouragement from Government but the Code should be simplified as far as possible. A large number of estates were too small to maintain Aided schools individually under the Code. The Commission, therefore, suggested that some such estates should combine into groups for the purpose. But in view of the fact that more often local circumstances rendered such combination impossible, the Commission thought that it would be sufficient if the planters encouraged the holding of classes either in the labourers' lines or in the buildings or rooms, provided by themselves to serve the purpose of schools, and saw to it that all children were given some instruction in such classes as far as possible.

The Wace Commission Report was followed by the first legislation requiring the estate authorities to provide educational facilities for the children of estate labourers—the Rural Schools Ordinance No. 8 of 1907, brought into operation on 8 June 1908.<sup>15</sup> Part V of the Ordinance deals with the estate schools. In accordance with the recommendation of the

Wace Commission, Part V laid down that two or more estates might, with the sanction of the D. P. I, combine for the purpose

Rural Schools

Ordinance no. 8,

1907

of providing a common school under joint management for education of the estate children. The Ordinance also laid down that it would be the duty of the

estate superintendent to arrange for vernacular education for the estate labourers' children between ages 6 and 10 and to set apart, and keep in repair, a suitable school-room for them. If the superintendent failed to make the above provisions, he would first be served with a notice by the D.P.I. to provide for the above arrangements. Subsequently, in the event of his failure to comply with the notice within 6 months, the Governor could authorize some other person to make the required arrangements on the estate and to recover from him the expenses incurred therefor. Every superintendent was required to forward to the D.P.I. a return showing the following particulars : (a) The number of children between 6 and 10, employed on the estate ; (b) the number of those children who attended school during the 12 months ending on 31 December preceding the date of the enforcement of the Ordinance ; (c) description of the school building. The estate-superintendent was also required to cause the school teacher to keep an attendance register and another register showing the names and ages of the estate children between 6 and 10, employed on estates. The D.P.I. would from time to time cause estate-schools to be inspected. Lastly, in compliance with the recommendation of the Wace Commission, no compulsion on attendance at school was required by the Ordinance. In other words, the maintenance of an elementary school on an estate was compulsory but not the attendance thereat. It was not till the Education Ordinance no. 1 of 1920<sup>16</sup> was enforced on 1 January 1924 that compulsory attendance remained only an ideal to attain.

Part V of the Ordinance of 1920 deals with estate education and estate schools. Though mostly a repetition of the Ordinance of 1907 (Part V), the Ordinance of 1920 was more comprehensive than the former in that it contained some new provisions which were intended to stimulate education of the estate children. For instance, the estate-superintendent was

now required to appoint competent teachers. Before the introduction of this provision, school inspectors had often found that those who were engaged as teachers by estates also functioned as heads of the gangs of labourers. The appointment of such teachers could not formerly be prevented for want of any legal provision requiring the appointment of a bonafide and competent teacher.<sup>17</sup> Moreover, it was

Education  
Ordinance no. 1  
of 1920

now provided that no child between six and ten years of age should be employed in any work on any estate before ten in the morning. The provision was obviously intended to facilitate the attendance at the morning shifts of the estate schools by such children. The Ordinance of 1920, above all, provided in Section 34 (1) for compulsory attendance at schools and prescribed punishment of those parents who would fail to send their children to schools: (1) 'The parent of every child between the ages of six and ten, such parent being employed as a labourer on the estate, shall cause such child to attend the estate-school during the hours prescribed by rules made by the Director.' (2) 'Any parent who fails to comply with the provisions of this Section shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding ten rupees or, in default of payment, to imprisonment of either description for any period not exceeding fourteen days.' It was also provided that the Director of Public Instruction should from time to time cause estate-schools to be inspected. Further, any superintendent of estate or teacher neglecting the duties enjoined upon him by the Ordinance would be guilty of an offence and be liable, on conviction, to a fine not exceeding twenty rupees or to imprisonment of either description for a period not exceeding one month.

The Ordinance of 1920 was replaced by Ordinance No. 31 of 1939, Part VI of which deals with education of the estate children.<sup>18</sup> Though, for the most part, a repetition of the

Education  
Ordinance no. 31  
of 1939

previous Ordinance, the new one introduced two changes of significant nature. First, the Ordinance of 1920 as also that of 1907 required the estate-superintendent to pro-

vide vernacular education for the estate children but the word 'vernacular' was dropped from the Ordinance of 1939 which simply laid down the obligation of every estate-superintendent

to make provision for the education of the children, between the ages of six and ten, of the labourers employed and resident on the estate (Section 36). It was perhaps the contemplation of Government that the estate-schools might make provision for teaching English in addition to vernacular to the Tamil children. In actual practice, however, the three R's through the vernacular medium, not through the medium of English, continued to form the basis of the curriculum of the estate-schools, as before. Secondly, while the Ordinance of 1920 merely prescribed compulsory education without making the estate-superintendent responsible to report the cases of delinquent parents, the Ordinance of 1939 made it a duty of the estate-superintendent 'to report or cause to be reported to the prescribed authority' any case of the parents not complying with the provision of the compulsory school-attendance of their children (Section 38a).

The Ordinance of 1939 was amended by the Education (Amendment) Ordinance No. 26 of 1947,<sup>19</sup> which repealed some of the old provisions relating to education of the estate children

and introduced some new ones. Whereas the previous Ordinances of 1920 and 1939 were applicable to an estate on which more than 25 children between the ages six and ten were employed and were resident, under the Ordinance of 1947 the number of children employed and resident on an estate should exceed 27 and be between 5 and 16 years of age. In other words, for compulsory education the minimum age of an estate child was reduced from 6 to 5 and the maximum age was raised from 10 to 16. [Section 34(1)] Secondly, while the previous Ordinances of 1907, 1920 and 1939 required an estate-superintendent to set apart only a suitable school-room, the present Ordinance obliged him to set apart premises consisting of a building conforming to some prescribed standards, a habitable house for a married head teacher and of an area of uncultivated land, not less than 1 acre in extent and suitable for use partly as a school play ground and partly as a school garden. [Section 35(1)] Thirdly, the owners of two or more estates might, with the sanction of the Director of Public Instruction, jointly set apart premises on any of these estates

for the purpose of a common school for the children of their estates. [ Section 35(2) ] Fourthly, the provision under article 36 of the Ordinance of 1939 that the superintendent of every estate should make provision for the education of the estate children, as already mentioned, was dropped. Instead, the owner of an estate or the person for the time being in charge of an estate was required 'to permit the Director (of Public Instruction) to establish and maintain a Government school on the premises set apart on the estate.' [ Section 36 (1) ] The Director of Public Instruction should pay rent, at a prescribed rate, to the owner of the estate for the school-building which was to be properly repaired by him. In case necessary repairs were not done by the owner, the Director himself would get the building to be repaired, deducting the cost of repairs from the rent payable to the owner. Fifthly, if the estate-superintendent failed to set apart the premises, as required under Section 35 (1) of the Ordinance, in spite of a notice served on him, the Director could take all such measures as might be necessary to make good the lapses on the part of the superintendent, the expenses incurred by the Director in connection therewith being deemed as recoverable from the estate 'as a debt due to the Crown.' [ Section 35 (4) ] The Ordinance of 1947 also reiterated the stipulation of compulsory school-attendance by all the estate children of prescribed age-limit. (Section 38) Parents contravening the provision regarding compulsory attendance at schools by their children between 5 and 16 would be liable, on conviction, to a fine not exceeding one rupee each and, in case of a continuing offence, to an additional fine of fifty Cents each in respect of each day on which the offence was continued [ Section 40(1) ]. The Ordinance also laid down the standard to which a school-building must conform. The building must be spacious enough to provide not less than 10 square feet of accommodation for each of the children required to attend school. Besides, the building must be so constructed as to admit sufficient air and light, its interior must be adequately protected from wind and rain and it must not adjoin, or form part of, any other building except the house of a teacher (Section 41).

The Ordinance of 1947 was followed by a comprehensive Education Act, Education (Amendment) Act No. 5, 1951,<sup>20</sup>

which made regulations regarding school-buildings and the medium of instruction in estate schools. As regards the medium of instruction, the Act laid down that if there were not less

Education  
(Amendment)  
Act no. 5, 1951

than fifteen Sinhalese pupils in all the classes of a Primary school, instruction should be given to all such Sinhalese pupils in the Sinhalese language.

Similarly, if in all the classes of a Primary school there were not less than fifteen Tamil pupils, their medium of instruction would be Tamil. There was, however, a proviso that a Sinhalese pupil in a Primary school could be taught through Tamil and a Tamil pupil, through Sinhalese, if their parents so desired. (Section 4). Every pupil in a Secondary school, registered as a Sinhalese school on 31 March 1951, should be given instruction through Sinhalese, and every pupil in a Secondary school, registered as a Tamil school on 31 March 1951, should have Tamil as his medium of instruction. Similarly, the medium of instruction in a Secondary school, registered as an English school on 31 March 1951, should be English (Section 5). Every school having on its roll not less than 15 students, required under regulations to be instructed through the medium of Sinhalese, should have a course of study in the Sinhalese language. Similarly every school with not less than 15 pupils, required under rules to have Tamil as the medium of their instruction, should have a course of study in Tamil (Section 7). As regards estate schools, the Act reiterated the provision of a suitable school-building, as in the Ordinance of 1947, and further laid down that, if a Government school were maintained on the premises set apart on an estate, the D. P. I. would pay the rent, due each year, to the owner of the estate, calculated at the rate of 72 Cents for each pupil on the roll of such a school. The Act of 1951, however, reduced the upper age-limit for compulsory school-attendance to 14 years, without making any change in the minimum number of the children who should be resident on an estate where compulsory education was to be provided for them. In other words, compulsory education, under the Act of 1951, was to be provided on any estate where not less than 27 children between 5 and 14 years of age resided.

The Ordinance of 1951 was followed by an Ordinance 'to make better provision for education and to revise and consolidate the laws relating thereto', the Education Ordinance of 1956<sup>21</sup> It is but a consolidation of such provisions of the Ordinances of 1947 and 1951 as related to (a) the setting apart on estates of premises consisting of a school-building, a house for a married head teacher and an uncultivated plot of land; (b) the joint establishment of a common school for the children of two or more estates; (c) the compulsory attendance of all estate children between 5 and 14 and (d) the setting up of a Government school by the D. P. I. on the premises kept apart on an estate. A White Paper,<sup>22</sup> issued on 26 September 1966, restated

White Paper of 1966 the obligation on estate superintendents to provide such 'physical facilities' as the setting apart of premises for the schooling of the children on estates and further laid down

that a school, provided on an estate, might be run as a private school either by the proprietor, or by any person or a body of persons, authorized by the proprietor, with the approval of the Minister. Obviously, the White Paper appeared to counter the provision of the Ordinance of 1947 that the D. P. I. might 'establish and maintain a Government school on the premises set apart on the estate' and to permit, instead, any interested person to use the premises to run a private school. If there was no interested person, observes Jayasuria in this connection, the building would stand 'idle and the education of estate children would 'come to a halt.'<sup>23</sup>

Though the Tamil estate children were thus given facilities for their schooling, such schooling did not extend beyond the primary stage or fifth grade. Some employers took interest in the estate children's education, while others felt that education would merely make them *babus*.<sup>24</sup> The number of schools set up for the estate children's so-called education in the three R's, the total number of the children of school-going age and the actual number of children attending school will be evident from the Table given below<sup>25</sup>:

## EDUCATION OF ESTATE CHILDREN

Col. I Year	Col. II No. of registered estate schools	Col. III Total no. of estate-children of school-going age between 6 and 10	Col. IV No. of estate-children attending schools	Col. V Percentage of the no. of children attending school on the total no. of children of school-going age (approximate)
1923	272		10,532 (8,949 boys 1,583 girls)	
1924	275	63,102	19,571	31.0
1925	265	71,007	22,454	31.62
1926	294	80,867 (43,216 boys 37,651 girls)	27,832 (20,840 boys 6,992 girls)	34.45
1927	304	87,023 (46,219 boys 40,804 girls)	32,299 (23,814 boys 8,485 girls)	37.17
1928	364	81,858 (44,441 boys 37,417 girls)	37,404 (26,282 boys 11,122 girls)	45.7
1929	402	77,376 (43,108 boys 34,268 girls)	40,859 (28,667 boys 12,192 girls)	52.8
1930	501	77,723 (44,030 boys 33,693 girls)	42,671 (29,762 boys 12,909 girls)	54.91
1931	554	72,533 (41,435 boys 31,098 girls)	39,163 (27,516 boys 11,647 girls)	53.99
1932	544	70,598 (40,585 boys 30,013 girls)	37,476 (26,715 boys 10,761 girls)	53.06
1933	578	65,401 (37,838 boys 27,563 girls)	34,494 (24,549 boys 9,945 girls)	52.74
1934	587	69,540 (40,187 boys 29,353 girls)	35,638 (25,543 boys 10,095 girls)	51.25
1935	608	72,924 (42,159 boys 30,765 girls)	37,958 (27,283 boys 10,675 girls)	52.19

Col. I	Col. II	Col. III	Col. IV	Col. V
1936	653	72,858 (41,882 boys 30,976 girls)	39,647 (28,407 boys 11,240 girls)	54.42
1937	729	75,292 (43,773 boys 31,519 girls)	42,163 (29,778 boys 12,385 girls)	55.99
1938	784	77,215 (44,616 boys 32,599 girls)	43,963 (30,866 boys 13,097 girls)	56.99
1939	820	79,214 (45,762 boys 33,452 girls)	45,442 (31,463 boys 13,979 girls)	57.37
1940	845	80,591 (46,410 boys 34,181 girls)	47,189 (32,320 boys 14,869 girls)	58.55
1941	859	82,861 (47,487 boys 35,374 girls)	49,542 (33,714 boys 15,828 girls)	59.79
1942	879	79,415 (45,190 boys 34,225 girls)	46,898 (31,792 boys 15,106 girls)	59.05
1943	926	77,806 (44,630 boys 33,176 girls)	46,211 (30,467 boys 15,744 girls)	59.39
1944	943	87,805 (43,373 boys 44,432 girls)	49,220 (29,408 boys 19,812 girls)	56.06
1945	951	82,893	46,253	55.8
1946	926	81,571	46,640	57.13
1947	912	84,075	45,712	54.37
1948	968	88,475	51,451	58.15
1949	997	95,398	56,168	58.83
1950	915*	1,01,924 (*+50 unregistered)	61,502	60.34
1951	942*	1,05,919 (59,317 boys (*+46 unregistered) 46,602 girls)	60,924 (39,203 boys 21,721 girls)	57.52
1952	935*	95,043 (*+40 unregistered)	59,554	62.66
1953	938*	99,446 (*+41 unregistered)	62,677	63.20
1954	899	1,15,610	66,280	57.33
1955	891	1,18,836	67,110	56.47
1956	884	—	69,918 (44,245 boys 25,673 girls)	—
1957	881	—	73,047 (45,766 boys 27,281 girls)	—
1958	879	—	75,000 (46,763 boys 28,237 girls)	—

Col. I	Col. II	Col. III	Col. IV	Col. V
1959	875	—	77,687 (48,163 boys 29,524 girls)	—
1960	874	—	78,733 (48,623 boys 30,110 girls)	—
1961	873	—	80,148 (49,113 boys 31,035 girls)	—
1962	873	—	80,193 (48,960 boys 31,233 girls)	—
1963	—	—	80,853 (48,526 boys 32,327 girls)	—
1964	859	—	81,695 (49,650 boys 32,045 girls)	—
1965	852	—	79,911 (47,382 boys 32,529 girls)	—

The above Table is indicative of certain trends in the progress of education among the Tamil children on estates. First, among the children attending school, boys command a numerical superiority over girls. The comparative small number of girls attending schools may be accounted for by the unwillingness on the part of parents to give schooling to their daughters who were required to stay at the lines, looking after the babies during their long absence in the plantation-fields. It was also alleged that the parents themselves being illiterate did not desire to send their children to school, unless compelled to do so. In some schools, it was the practice of the teacher to conduct the children straight from the morning muster to school and to free them for field-work by half-past nine or by ten in the morning. Three hours of school-attendance in the morning was followed by eight hours' work on the field, which left the children without time and energy for play or for other recreational activities to develop their body and mind.<sup>26</sup> Secondly, the number of children attending school fluctuated with a downward trend in some years, the reasons for such fluctuations being extensive repatriation of labourers to India, slump in rubber industry, the discontinuance of midday meals to the children at school and apathy of the parents. Commenting on the state of education on estates, K. P. S. Menon reported in 1931: 'Despite all handicaps, the Director of Education has continued

to press for the opening of new schools and has, on the whole, met with encouraging response from Estate Superintendents and their Agents in Colombo. However, the apathy of the average parent and the scepticism of certain planters regarding the value of education for Estate children are too deeply rooted to be quickly eradicated'.<sup>27</sup> Between 1931 and 1963, the number of children attending school declined comparatively in 1931, 1932, 1933, 1942, 1943, 1945, 1947, 1951 and 1952 for some reason or other such as has been mentioned above. Thirdly, increase in the number of children attending schools was not invariably proportionate to the increase in the number of children of school-going age between 6 and 10, resident on estates. In 1926, for instance, the number of children of school-going age stood at 80,867 as against 71,007 in 1925, the total increase being 9,860, whereas the number of children attending school increased from 22,454 in 1925 to 27,832 in 1926, the total increase being 5,378. Explaining the reasons for such disproportionate increase, the Agent to the Government of India in Sri Lanka, M. S. A. Hydari, stated that till the close of the year 1926 there was no prohibition against the employment of children under 10 on estates. Moreover, an ignorant parent could see no point in sending his child to school when he could work on an estate, 'earning a few welcome cents'. The employer, on his part, also felt justified in not pressing upon the parent to send his child to school because the child would be more welcome as a plucker or tapper than as a school boy. Such an attitude on the part of the employers coupled with the apathy of the parents could only result in the poor utilization of the facilities for education by the estate children. In fact, very few among those attending school could complete the primary course. According to the report of the Director of Education, only about 3 per cent of the school-going children reached Standard V.<sup>28</sup> Fourthly, the occasional scarcity of labour, necessitating the employment of the children of school-going age on estates, led to a fall in the strength of the children attending school.

It is significant that each estate could not provide its own school for the children of its Indian labourers. In 1925, for instance, only 265 registered schools catered for the teaching of Indian children on as many as 1,142 estates.<sup>29</sup>

Obviously, a number of estates jointly set up a school for teaching the three R's to the children resident thereon.

The non-availability of competent teachers to teach in estate schools was a great obstacle to ensuring a better standard of education in estate schools. In 1943, the salaries of estate teachers varied, on an average, between Rs. 20 and Rs. 40 per month according as whether a teacher was trained or not, or whether a teacher taught in a single-session school or in a double-session school. The scheme of dearness allowance admissible to the teachers of schools situated outside estate areas was not officially applicable to the estate school teachers, although in good many cases employers were found paying D. A. to them unofficially. Besides, the insecurity of service, the absence of a scale of annual increment of salary, the want of pensionary benefits or of the privilege of leave with pay, and the difficult living conditions on some estates, where the teachers were required to live in the lines in the company of the labourers, made the post of an estate school-teacher distinctly unattractive. Dr. Kannangara as the Chairman of the Special Committee on Education (1943)<sup>30</sup> dealt with the educational system in general in Sri Lanka, without making any mention of the estate school in his report, obviously remaining indifferent to the various educational problems of the children of estate labourers.<sup>31</sup>

The State Council of Sri Lanka approved the scheme of free education in June, 1945. At the same session of the State Council, I Pereira, the Indian nominated M. P., proposed an

amendment that estate schools should be converted into Primary Government schools and made part of the system of national education. The amendment was seconded by B. A. Aluwihare, M. P. from Matale.<sup>32</sup> Government's attitude towards taking over estate schools under state management

stands reflected in the statement of the Education Minister, M. D. Banda, on the floor of the House of Representatives on 16 August 1954: 'I shall gradually take over estate schools. Such estate schools as are ready and about which we have been given notice we have taken over. The education of children who live on estates close to Government schools has been provided for. We have provided teachers for them in those

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schools. As the honourable members for Badulla and others, who represent estate areas, well know, Government schools in those areas are now having two streams of pupils, Tamil children and Sinhalese children. A large number of estate children attend those schools. I do not want to grab wholesale all the estate schools. It is not possible to take them over all at once...I shall gradually take over the schools as they come up. If all the schools are taken over, I think the cost will be about Rs. 12 million or Rs. 15 million. Therefore, the process of taking over estate schools will have to be gradual.<sup>33</sup> Government, in fact, could take no effective steps to expedite the conversion of estate schools into Primary Government institutions. Out of about 900 estate schools, only 24 were taken over by Government between 1947 and 1961.<sup>34</sup> When questioned by P. G. B. Kunneman in 1965 about the steps taken by Government for incorporating estate schools into the national system of education, the then Parliamentary Secretary to the Ministry of Education and Cultural Affairs, G. Jayasuriya, replied in the House of Representatives that Government was still thinking of a suitable scheme for the purpose, which would be placed before the House 'as early as possible'.<sup>35</sup> Government was obviously still indecisive on the question of taking over all the estate schools under its management. Commenting on Government's attitude towards this question, J. E. Jayasuria writes: 'Here ends the melancholy tale of how one government after another toyed unbecomingly with the problem of education of a sizeable population of children, about 80,000 in number in 1965.'<sup>36</sup>

During the period covered by the present study, the issues of the official language and the medium of instruction tended to introduce much complication into the problem of

education of the estate children. Whether Sinhalese or Tamil or both should be treated as the official language engaged the attention of the country's political leaders. The State Council at its session of 26 November 1946 accepted both Tamil and

Sinhalese as the official language of the country, which raised high hopes that both the languages would be placed on a footing of equal prestige through legislation in no time. But subsequent developments caused much frustration and dis-

#### Issues of the official language and the medium of instruction

appointment to the minority community, as their language was sought to be assigned an inferior status. The Official Language Act No. 33 of 1956 made Sinhalese the official language of Sri Lanka. Immediately after the Act had been passed, administrative orders were issued, directing Government departments to switch over to Sinhalese as the official language. The Act had the effect of disqualifying the Tamils from holding public offices unless they learnt, and acquired efficiency in, Sinhalese. The Constitution of Sri Lanka, 1972 (Chapter II, article 7) laid down Sinhalese as the official language, as previously provided by the Official Language Act No. 33 of 1956. The Constitution further stipulated that all laws should be enacted or made in Sinhalese but would be translated into Tamil (Article 9) and that the language of courts, tribunals, and Conciliation Boards, established under the Conciliation Boards Act No. 10 of 1958, should be Sinhalese. The records of courts would also be kept in Sinhalese. (Article 11) The Tamils took alarm.

Worse still, the medium of instruction through *Swabhasa*—the Tamil children learning through Tamil language in the schools exclusively meant for them, and the Sinhalese children being taught through the medium of Sinhalese language in the schools earmarked for them—had, on the one hand, proved an obstacle to racial integration and, on the other, a hindrance to higher education of the Tamil-speaking children. The prescription of mother tongue as the medium of instruction proved prejudicial particularly to the Tamil children mainly because of a small number of schools providing for education through the medium of Tamil, which resulted in limited educational opportunities for them. Schools for the Sinhalese children were much more numerous than those for the Tamil children, as would be borne out by the following Table<sup>37</sup>:

Year	No. of schools for Tamil children	No. of schools for Sinhalese children
1956	884	4,084
1957	881	4,335
1958	879	4,524
1959	875	4,669
1960	874	4,839

Year	No. of schools for Tamil children	No. of schools for Sinhalese children
1961	873	4,961
1962	873	5,226
1963	—	5,552

Not only much more numerous than the Tamil schools, the Sinhalese schools were better equipped and obviously offered the Sinhalese students greater educational and employment opportunities, preferences in public services or in any semi-government institutions being given to those having an adequate knowledge of Sinhalese. Tamil children having no privilege to learn Sinhalese in their schools remained ignorant of the language, very few picking it up on their own initiative, and were not, therefore, preferred for public services. As early as 1942, B. A. Aluwihare made a statement in the State Council<sup>38</sup>: 'The other day, I raised the question of introducing Sinhalese in estate schools...I am dealing with mostly estate labour...We are faced with the position that in our area we have a certain percentage of foreign (Indian) labour which is permanently settled, whatever our views may be on the subject...We are faced with the problem that, whatever you may do, some of the labour is permanently settled in this country and the sooner they are enabled to establish contact with the permanent population, at least in the matter of language, the better it would be for all concerned...In the meantime, there is growing in our part of the country a permanent resident population which has no contact with the native population of Kandian province. There is no contact in language, no contact by proximity in the sense of neighbourliness, because they have nothing to do with each other and they tend to become isolated blocks. I do not think, it is in the interest of anybody that permanently settled labour should be an isolated block. I believe, it is to our interest that we should take steps at least to establish contact in the matter of language between estate labour and Sinhalese population. It is no use asking labour to come to this country and keeping it apart, because we are, so to say, practically trying to keep the sea out. Some of that labour is bound to be permanently settled and, if only we can take steps to establish contact and, if possible, to absorb it into the

general population, it would be all the better for us in the long run.' Stressing the advisability of teaching Sinhalese to the estate children, Aluwihare said: '...is it not wisdom that we should teach Sinhalese in estate schools so as to help in the general absorption of that part of the population into the rest of the indigenous population in those areas? That was the question I raised'<sup>39</sup> The Education Minister, Kannangara, also agreed with Aluwihare and said that 'it was to the advantage of this country to have local vernaculars introduced into estate schools', holding, at the same time, that this was the responsibility of estate superintendents.<sup>40</sup> Commenting on the latter part of the statement of the Education Minister, Aluwihare said: 'I do not know whether this is a matter for the estate superintendent to decide. This is a matter of policy to be accepted by Government and laid down as part of the curriculum of estate schools. This proposal is bound to mean, I suppose, the employment of an extra teacher in each estate school...It is a matter of policy which the Government should decide, because it is a national question, not a question merely of whether a particular class of employer will take a particular kind of step.'<sup>41</sup> Supporting Aluwihare, Pereira went the length of proposing that the children attending schools in the North (the Tamil-speaking Jaffna area) should be taught Sinhalese and that the children attending schools in the (Sinhalese-speaking) South would be taught Tamil.<sup>42</sup> The proposals of Aluwihare and Pereira did not carry conviction to the then Government which leaned towards, and laid down, **Swabhasa** as the medium of instruction, a step which blocked the road to higher education of the Tamil children for want of their adequate opportunities to learn Sinhalese, the prescribed medium of higher education. Commenting on the Indian attitude towards the Sinhalese language, F. R. Dias Bandaranaike stated in the House of Representatives on 15 November 1960: "I do not think there is any unwillingness on the part of the Indian population to learn Sinhalese. The question is whether the Government, as an economic possibility, can carry the load of the entire Indian population for ever in the Central Province, even if they are willing to learn Sinhalese and have to learn it. The problem cannot be reduced down to a simple basis of language. If it were possible, the problem would be solved overnight by a willingness on the

part of the Indian population to learn Sinhalese. Nor is it as simple as saying 'Let the Indians acquire Indian citizenship and thereby cease to be stateless.'"<sup>43</sup>

Fortunately, under the new Constitution of Sri Lanka, formally adopted by the Jayawardene Government on 7 September 1978, Tamil has, for the first time in the history of the Island, been recognized, along with Sinhalese, as a national language for legal, administrative, parliamentary and educational purposes. A person has now the right to be educated through the medium of either language, and educational institutions providing for the one have to provide for the other, should there be a demand for it. Competitive examinations also have to be held in both languages. President Jayawardene promised during his election campaign to achieve harmony between the Sinhalese and the Tamils. The removal of the language barrier has happily paved the way for the harmony and national unity and has, as reported by R. Varadachari, P. T. I. correspondent in Colombo, ushered in a new era of communal harmony and amity in Sri Lanka.<sup>44</sup>

Prior to the enforcement of the new Constitution, however, the educational provisions, made by the Ceylonese Government for the Tamil children, were neither

**Poor provision  
for education  
of the estate  
children**

adequate nor assuring. Almost like the proverbial literate whose education stopped at letter J, most of the estate children had to stop their so-called education at Standard V, parents' poverty being

the main cause, as reported by the Committee on non-school-going children in 1960 : 'How could they (parents) send their children to school in the rags they wear and expect them to sit with those who are comparatively (sic) better off? We are informed that some have never known a change of clothes for years on end. We are, therefore, convinced that it is not indifference on the part of most parents that their children do not attend school. Despite poverty, so abject as would smother every decent human emotion, they are not yet entirely devoid of some vague notions of self-respect. They would not wish their children to be the subject of scornful comment of other children or of teachers. A good number of parents have expressly admitted that this was the real cause of their inability to send their children to

school. The reticence of many others can only be interpreted in similar terms.<sup>45</sup> Commenting on the state of estate education, as described in the Report of the Committee on non-school-going children, W. Dahanayaka said on the floor of the House of Representatives on 18 April 1962 : 'According to this Report, there were (in 1958) 2,84,000 children between the ages of 5 and 14 on estates. Of them, 1,52,000 were attending school and 1,32,000 were not attending any school at all. 53 per cent of the children on estates were attending school while 47 per cent were not attending school at all. Of the 53 per cent who were attending school, the majority of them were in the 900 and odd schools. These estate schools are elementary schools. They do not teach beyond Standard V, and even up to Standard V there is no properly organized Kindergarten. In most of the estate schools what is taught is only three R's. Many of these schools are without adequate furniture. The teachers are not qualified and they are very poorly paid. So, from every point of view we have to bow our heads in shame when we think of the way in which we are treating the estate children in regard to education. Originally, the education of estate children was considered to be the duty of the estate management. Later on, the U. N. P. Government recognized the principle that the education of estate children should be the responsibility of State. However, neither the U. N. P. Government nor the S. L. F. P. Government that succeeded it was able to give these children a square deal.<sup>46</sup> The Table<sup>47</sup> given below would bear out Dahanayaka's allegation that the estate school teachers were not properly qualified.

Classification of teachers  
in estate schools, as in 1958

Total number of teachers

Trained first class teacher	11
Trained second class teacher	56
Trained provisional teacher	12
Certified first class teacher	17
Certified second class teacher	16
Certified third class teacher	31
Third class service certificated teacher	6
Drawing certified teacher	3

Third class provisionally certificated teacher	7
Uncertificated teacher	927
Madras-trained teacher	29
Grand Total	1,095

Not only was the majority of the estate school teachers underqualified as in 1958—out of 1095 estate school teachers, as many as 927 being uncertificated, as shown in the above Table—but the teaching-load on an estate school teacher was then comparatively heavy, as would be evident from the following Table :<sup>48</sup>

Nature of school	No. of pupils per teacher
Government schools	28
Director-Managed schools	26
Private free-levying schools	24
Pirivenas (Buddhist schools)	15
Estate schools	74
Other schools	19

The staff-position in the estate schools could not by any means be pronounced satisfactory during the period of this study. It was not then uncommon for a single teacher in an estate school to be obliged to take several classes simultaneously. To make matters worse, the Government-managed junior secondary schools and senior secondary and collegiate schools being situated mostly in the urban areas, the Tamil-speaking estate children in the far-off rural areas got no opportunity of being admitted into such schools for higher education, because the system of admission into the schools was governed by the principle of 'proximity to school.' The Sinhalese children resident in towns, being the nearest to these schools, were given preference over the Tamil children living away from towns.

It then stands to reason to conclude that the educational set-up which was existent in Sri Lanka previous to the inauguration of the present U. N. P. Government, headed by President Jayawardene, offered the Tamil-speaking estate children no bright prospects and promised them no rosy future, unless the

educational policy of Government was thoroughly overhauled. The findings of Miss Edith Bond on the state of education of the estate children as in 1974 are significant: 'Sri Lanka has a free education system but on the estates the Companies are responsible for providing schooling. Very few teachers on the estates are qualified, and the curriculum is hopelessly inadequate and out of date ... Some estate-owners including Brooke Bond Liebig have asked the Government to take over the responsibility for estate schooling but, so far, no practical steps have been taken to absorb this private sector into the State system.<sup>49</sup> And so, as yet, there is no way for estate children to fight their way out of the present situation. Instead, they drift into employment at the age of 12 or 14. Most estate children speak Tamil but normal schooling in the Tamil language is not available in the villages around the estates even for registered citizens. Higher education and scholarships are not generally available, and from a total university and polytechnic student population of over 10,000, it is believed that less than 20 are from the estate sector. Those are mainly the children of clerical or technical-grade workers. Conditions on the estates are, indeed, grim... Of all people employed on the estates, 38.9 per cent have received no schooling. This compares most unfavourably with the 17.5 per cent of population of the whole Island who have had no schooling. Secondary and higher education is not readily available to people on the estates. Non-citizens were not taken into account when the language used in schools was determined in 1962. Hence most schools became Sinhalese whereas most of the estate population is Tamil.'<sup>50</sup>

Sri Lanka's new Constitution promises to improve the state of education of the Tamil children. Much, however, depends upon the proper implementation of the relevant constitutional provisions. The proof of the pudding is in the eating.

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#### FOOTNOTES

I W. B. Archives, Gen. Dept. Emig. Br. Prog. B. 58, Aug. 1867. Also T. N. Archives, Public Dept. Prog. 171, 22 Aug. 1867.

2 Ceylon Sessional Paper IV, 1905. Vide also Parl. Pap. (H. C.), Vol. 58, 1905, Cmd. no. 2484—Memorial, dated 18. 1. 1904, from East India Association to Alfred Littleton, M. P., on the education of immigrant Tamil coolie children employed on estates. Also N. A. of Sri Lanka, Lot 4/353—Despatch of A. G. H. Wise, planter, dated 19. 8. 1904, to the Under-Secretary of State for Colonies. According to Wise, the schools were attended by 1,840 children.

3 Ceylon Colonial Reports for 1904.

4 N. A. of Sri Lanka, Lot 4/353, op. cit.

5 Ibid.

6 Vide the Imperial and Asiatic Quarterly Review, January-April, 1904. Third series, Vol. XVII, Nos. 33 and 34, pp. 72-87. Ceylon was outside the jurisdiction of the East India Association. Still, it invited Wise's article on the ground that it dealt with education of the children of the estate labourers of Indian origin.

7 Ibid., p. 183.

8 Parl. Paper, Vol. 58, 1905, op. cit.

9 Ceylon Sessional Paper IV, 1905, op. cit. Also Parl. Pap. Vol. 58, 1905, Cmd. 2484, op. cit.

10 Colonial Reports, Ceylon, 1904, op. cit.

11 N. A. of Sri Lanka—4/354. Despatch no. 321, dated 16. 9. 1904, from A. G. H. Wise to the Under-Secretary of State. Also Asiatic Quarterly Review, Jan -Apr. 1904, op. cit.

12 N. A. of Sri Lanka, Lot 4/353, op. cit.

13 N. A. of Sri Lanka, Lot 4/354, op. cit.

14 Ceylon Sessional Paper XXVIII, 1905. The other members of the Wace Commission were John Harward, D. B. Jayatilaka, Joseph Cooreman and J. N. Campbell. The Report of the Commission was submitted on 25 July 1905.

15 The Ordinance was consulted by me at the library of the University of Sri Lanka, Peradenya campus.

16 Ibid.

17 Hansard Debates, Ceylon Legislative Council, 26 Nov. 1919, p. 432.

18-20 The Ordinances and the Act were consulted by me at the library of the University of Sri Lanka Peradenya campus.

21 Legislative Enactments of Ceylon. Revised edition, 1956, Vol. III.

22 J. E. Jayasuria, Education in Ceylon before and after Independence (1939-68), p. 133.

23 Ibid.

24 Evidence of K. P. S. Menon before the Royal Commission (in camera) on Indian labour. N. A. of India—Dept. of Edu., H. and L.—Overseas Br. Prog. B55, Jan. 1931.

25 1923—Report of the Controller of Indian Immigrant Labour for 1923, P. R-12.

1924 to 1948—Labour Commissioner's Report for 1949, p. F. 83. Also Ceylon Administration Reports for 1927, 1928, 1930, 1932, 1933, 1944. Also Agent's Report for 1934-43. According to the report of the Controller of Labour for 1925, out of 74,316 children of school-going age, 23,083 (17,498 boys, 5,585 girls) attended schools, the number of schools being 265.

1949, 1950—Ceylon Administration Report for 1950, p. F91.

1951—*Ibid.*, 1951, p. F39.

1952, 1953—Report of the Labour Commissioner, 1952, 1953.

1954, 1955—Ceylon Administration Report, 1954, 1955.

1956—Statistical Abstract of Ceylon for 1961, p. 133. Report of the Labour Commissioner for 1956 furnishes the following figures for 1956 :

No. of registered schools	893
No. of unregistered schools	35
No. of pupils attending schools	67,667
No. of children of school-going age	1,13,064

1957—Statistical Abstract of Ceylon for 1961, pp. 133, 137, op. cit. Labour Commissioner's Report for 1957 gives the following figures for 1957 :

No. of registered schools	895
No. of unregistered schools	37
No. of pupils attending schools	77,358
No. of children of school-going age	1,35,644

1958—Statistical Abstract of Ceylon for 1961, op. cit. According to the report of the Commissioner of Labour for 1958, the figures for 1958 were as follows :

No. of registered schools	883
No. of unregistered schools	33
No. of pupils attending schools	65,546
No. of children of school-going age	1,13,247

1959—Statistical Abstract of Ceylon, 1961.

1960—*Ibid.*, 1960. Labour Commissioner's Report for 1960-61 shows the following figures :

No. of registered schools at the end of 1960	873
No. of unregistered schools	27
No. of children of school-going age	1,13,803
No. of pupils who attended schools	72,684

1961—Statistical Abstract of Ceylon, 1961-65, p. 313. Also Labour Commissioner's Report for 1961-62.

1962—Statistical Abstract of Ceylon for 1961-65, op. cit. Also Labour Commissioner's Report for 1962-63.

1963—Statistical Abstract for 1961-65.

1964—*Ibid.* Also Labour Commissioner's Report for 1964-65.

1965—Statistical Abstract, 1961-65, op. cit.

- 26 Report of the Controller of Labour for 1925.
- 27 Agent's Report for 1931, Paras, 5-6 p. 28.
- 28 Vide Agent's Report for 1943.
- 29 Report of the Controller of Indian Immigrant Labour for 1925.
- 30 Ceylon Sessional Paper XXIV, 1943.
- 31 As the Kannangara report is silent on estate education, its detailed discussion in the chapter has not been considered advisable by me.
- 32 Hansard—State Council of Ceylon, Vol. for 1945, Jan.-June, Col. 2855. Debate, 1. 6. 1945.
- 33 Hansard—House of Representatives, Ceylon, Vol. 19 of 1954-55. Date of debate, 16. 8. 1954. Col. 1766.
- 34 Vide Jayasuriya, op. cit., p. 17.
- 35 Hansard—House of Representatives, Ceylon, Vol., dated 4. 5. 1965, col. 1205.
- 36 Jayasuriya, op. cit., p. 132.
- 37 Statistical Abstract of Ceylon for 1961, op. cit., p. 132, and for 1963, p. 119, for 1964, p. 307. Also vide pp. 187-189 above.
- 38 Hansard—State Council, Ceylon, 1942, Part II, July-December. Speech of B. A. Aluwihare of Matale on 28. 8. 42, pp. 1964-1965.
- 39 Ibid., p. 1973.
- 40 Ibid.
- 41 Ibid., p. 1965.
- 42 Ibid.
- 43 Hansard Parl. debates, Vol. 41. House of Representatives session, Ceylon, 1960-61.
- 44 Vide Ceylon Daily News, 7. 9. 78. Also The Statesman (Calcutta edition), 7. 8. 78, and 21. 9. 78 (Article by S. Sahay—The Sri Lanka Constitution); Himmat (a Bombay Weekly), 1. 9. 78—A new Constitution for Sri Lanka, an article by Mohan Bhagwandas (in Colombo).
- 45 Ceylon Sessional Paper III—1960. Report of the Committee on non-school-going children, Para. 6.
- 46 Ceylon Parl. Debates—House of Representatives, Vol. 46. No. 23, Col. 4575. Vide also Ceylon Sessional Paper III, 1960, Table III, p. 5 for the figures 1,32,000 and 2,84,000.
- 47 Ceylon Administration Reports, 1958, p. A160.
- 48 Ceylon Statistical Abstract, 1964, p. 254.
- 49 Only a few estate schools have thus far been taken over by Government.

50 A War on Want Investigation into Sri Lanka Tea Industry, March 1974, op. cit.

It may be noted here that a rule was introduced in 1962, enjoining that in determining whether a school should be called Sinhalese, Tamil or Muslim non-nationals in the schools should not be reckoned with. The rule was rigidly applied to the schools in the Central and Uva Provinces. The result of this ruling was that a large number of schools in the estate areas became Sinhalese or Muslim practically overnight, though the children in the schools were mostly Tamil speaking.

## CHAPTER VI

### INDO-SRI LANKA RELATIONS—CITIZENSHIP QUESTION, STATELESSNESS, REPATRIATION, REHABILITATION, SETTLEMENT OF 1974

'To some observers outside India it must seem strange that India and Ceylon should ever quarrel on any issue. The two countries are so closely linked geographically, historically and culturally that they are sometimes regarded by people who have never visited either of them as being identical. It often happens even today that Ceylonese travelling abroad are assumed to be Indians. It is not always easy to explain that Ceylon is, in many respects, as different from India as England is from the European continent.'

The close links—geographical propinquity, historical tradition and cultural affinity—between the two neighbouring countries of India and Sri Lanka, as indicated above by Sir John Kotelawala<sup>1</sup>, should have normally operated against the development of any issue or problem subversive of normal relations between them. The so-called Indo-Sri Lanka problem, which, however, cropped up in course of time, originated from the claim laid to Ceylonese citizenship by the Tamil-speaking estate labourers who, as discussed in the first chapter of this volume, were imported into Sri Lanka for work, initially on the coffee estates and subsequently on the tea and rubber plantations of the British planters. Thousands of such labourers made Sri Lanka their home in course of time, paying only short visits to their ancestral home-land off and on and returning to the estates to resume their wonted ways of living there.

The Government of India was inclined to consider them all as the nationals of Sri Lanka. But the Ceylonese Government declined to admit the estate labourers in their entirety to the Ceylonese citizenship, an attitude which was markedly in evidence especially after Sri Lanka had achieved her independence in 1948. This divergent attitude of the two Governments towards the political status of the estate labourers, thus 'caught in the vice of differing opinions', created Stateless persons and gave rise to the so-called Indo-Sri Lanka problem.

The Imperial Conference, held in London in 1921, accepted the resolution, proposed by India, that the Indians, who were lawfully domiciled in the Dominions, should not be discriminated against politically or otherwise on the ground of their Indian origin or descent. The relevant portion of the resolution runs as follows :

'The Imperial Conference, while reaffirming the resolution of the Imperial War Conference of 1918 that each community of the British Commonwealth should enjoy complete control of the composition of its own population by means of restriction on immigration from any other communities, recognizes that there is incongruity between the position of India as an equal member of the British Empire and the existence of disabilities upon the British Indians lawfully domiciled in some other parts of the Empire. The Imperial Conference, accordingly, is of the opinion that, in the interests of the solidarity of the British Commonwealth, it is desirable that the rights of such Indians to citizenship should be recognized...'<sup>2</sup> Of all the members of the Commonwealth, South Africa alone declined to accept the resolution. Sri Lanka as a British colony in 1921 recognized the validity of the resolution and was agreeable to grant Ceylonese citizenship rights to her immigrant population. But the property qualifications<sup>3</sup> which the Government of the country prescribed for the exercise of franchise were fixed too high for the estate labourers

**Early franchise qualifications** to satisfy. The electors, for instance, were required to possess such property qualifications as (a) a clear annual income of Rs. 600 or (b) the ownership of immovable property, either in their own rights or in the rights of their wives, to the value of

Rupees 1,500, after allowing for any mortgage debts thereon or (c) the occupation, as owner or tenant, for six months prior to the preparation of the electoral register, of a house, warehouse, shop etc. of the annual value of Rupees 400, if situated within the limits of a Municipality, Local Board, Sanitary Board or Urban District Council, or of Rupees 200, if situated elsewhere.

The prescription of such high property qualifications for the exercise of franchise had the inevitable effect of leaving the bulk of the Indian immigrant population disqualified from exercising political rights. Only the estate Kangaries and Indian traders, who could meet the prescribed property qualifications, were considered eligible for vote. But, though deprived of franchise, the estate labourers were recognized as ordinary 'citizens'—a word loosely employed here—and could, along with the other categories of Indian immigrant population, enjoy all the ordinary legal rights, normally enjoyed by other British subjects, and some special legal privileges as well.<sup>4</sup>

In its report published in July 1928, the Royal Commission on Constitutional Reform, appointed under the chairmanship of Lord Donoughmore,<sup>5</sup> dropped the literacy test (that is, ability to read and write English, Sinhalese or Tamil) and property

**Donoughmore Commission and its recommendations** qualification, as previously imposed, and recommended the extension of franchise to the females of not less than 30 years of age.

The Commission also recommended universal adult franchise for Sri Lanka but limited the franchise of the Indian immigrants by prescribing for them the qualification of five years' continuous residence on the Island, with the allowance of a temporary absence not exceeding 8 months in all during the five-year period, so that the privilege of voting should be confined to those who had an abiding interest in the country or who might be regarded as permanently settled there. Formerly, only a six-month residence qualification was insisted on. The Indians, however, acquiesced in Donoughmore's prescription of five years' residence as a practical test of their abiding interest in the Island. The previously imposed literacy test and property qualification proved prejudicial to the interests of the labourers inasmuch as the lack of their opportunities for reading and writing and their indigent condition cons-

pired against their acquiring the eligibility for franchise. Fully awake to such handicaps of the labourers and convinced of the unreasonableness of denying 'to these humble people the political status of their more fortunate fellows', Donoughmore finally dropped the literacy and property tests for exercising the rights of franchise.

When the Donoughmore Commission Report was being debated upon in the Ceylon Legislative Council in 1929, its recommendations for five years' continuous residence and the dropping of the literacy and property qualifications in respect of the Indian immigrant population were subjected to severe criticism on the ground that such recommendations, if implemented, would virtually enfranchise the entire Indian estate population on the Island and the Indian voters would then inevitably swamp the Sinhalese ones in the Kandyan areas. Finally, the Legislative Council modified the Donoughmore Commission's recommendations relating to the franchise of the Indian immigrants by imposing the conditions that both for males and females the minimum age qualification for franchise should be 21 and that every voter should be able to read and write English, Sinhalese or Tamil. The Legislative Council thus superimposed the condition of literacy on that of residence. That is to say, no Indian immigrant was to be eligible for franchise unless, in addition to his or her five years' continuous residence on the Island, he or she was able to read and write English, Sinhalese or Tamil.

The Sinhalese people still could not rule out the possibility that in a general election in the near future they might be outvoted by the estate labourers in the Kandyan areas where the majority of them resided. They accordingly demanded that besides the test of past residence, as recommended

by the Donoughmore Commission, the immigrants should be required to give an indication of their future intention to remain in Sri Lanka and to become a permanent part of the Island's population.

The Sinhalese demand was, in other words, heading towards an insistence on domicile as a condition of franchise. The then Governor, Sir Herbert Stanley, approved of the Sinhalese stand, with the result that instead of mere

Proposals of Sir  
Herbert Stanley,  
Governor of Sri  
Lanka, and the  
Indian reaction

residence, domicile (either of origin or of choice) was now made the standard test for franchise.<sup>6</sup> For the undomiciled persons to enjoy franchise rights Sir Herbert proposed two alternative requirements<sup>7</sup>—either literacy and property qualifications or a certificate of permanent settlement to be granted to the applicant by a duly appointed officer who would certify (i) the undomiciled person's five-year residence on the Island, (ii) a declaration of his permanent settlement or of his intention to settle permanently on the Island, and (iii) his renunciation of any claim to special protection by any Government other than that of Sri Lanka or to special statutory rights or privileges not enjoyed by other residents. The above conditions for the citizenship rights circumscribed, in effect, the franchise of the Indian residents and were resented both by the Indian community in Sri Lanka and by the Government of India.

The Ceylonese Government's decision, based on Stanley's proposals, on the question of Indian franchise was announced on 14 June 1930. The announcement was followed by the publication of an Order-in-Council requiring the registration of Indian voters. Most of the Indians registered themselves for franchise on the strength of domicile instead of by taking out the certificate of permanent settlement, not without valid reasons. In the first place, the process of making applications for registration on the strength of domicile was much less cumbrous than the procedure laid down for obtaining the certificate of permanent settlement. Secondly, the Indians who registered themselves on the strength of domicile did not stand to lose any of the special privileges enjoyed by them on the Island or to be deprived of the special protection by the Government of India. Such special privileges, it was apprehended by them, they might lose if they sought registration by taking out certificates of permanent settlement. In fact, the reluctance of the Indians in Sri Lanka to obtain certificates of permanent settlement for the purpose of registration was generally attributed to their disinclination to give up the special privileges or to renounce their claim to the Government of India's special protection, in the absence of their full-fledged citizenship status in Sri Lanka. Thirdly, the required certificate of permanent settlement appeared to them as the admission of their undomiciled status. The

Indian official view was not different : 'The certificate of permanent settlement was devised for the use of those ostensibly without domicile in the Island, and the leaders of Indians in Ceylon fear that the possession of a certificate of permanent settlement might lead to the presumption that the holder is an undomiciled person.'<sup>8</sup>

The registration of a large number of Indians on the strength of domicile proved so alarming to the Sinhalese that attempts were made by a section of them to dissuade the Indians from obtaining registration by virtue of domicile. As recorded by the Agent to the Government of India in Sri Lanka in his Half-Yearly Report for the period from July to December 1930, 'letters began to appear in the Press, and pamphlets began to be distributed in thousands, painting in vivid colours the pathetic picture of the Indian labourer who, having gained the vote on the strength of domicile, ceased to be an Indian and thus lost all his cherished rights and privileges including his right to the minimum wage and free medical aid and even his freedom to return to India.'<sup>9</sup> The Agent had to exert himself to dispel from the Indian mind the unfounded apprehensions spread through such letters and pamphlets. He had, however, the disappointing information that the leading members of the Indian community in Sri Lanka generally took little interest in the registration of the ordinary members of the community for acquiring the right of franchise. One Indian Association had even gone the length of allying itself with the Ceylonese in issuing pamphlets, and advising the Indian labourers to desist from registering themselves as voters. The only Indian who made earnest attempts to get the labourers registered was one Mr. Peri Sunderam, Barrister-at-law, who was a candidate for the constituency of Hatton.<sup>10</sup>

According to the Agent's Report for the period from January to July 1931, the total number of Indians, registered for citizenship status, was 1,00,574, which represented above 21 per cent of the existing total adult Indian population on the Island.<sup>11</sup> Most of them were registered on the strength of domicile. As the number of the registered Indians gradually increased, demand arose from the official side for 'tightening up' the procedure of registration. It was accordingly laid down by Government that no facts relevant to the question of

domicile were to be accepted unless they were checked by a Registering Officer or by an Enumerator. Again, no one was to be registered unless he was orally examined. The restrictions, thus imposed, resulted in a fall in the number of persons registered. A chain reaction followed. The Indian community grumbled against the administrative efforts to reduce the strength of Indian voters. Meanwhile, the world economic depression of the 1930's overtook the economy of Sri Lanka. Unemployment problem took on a serious form in consequence of which the Ceylonese Government had to think of controlling the flow of workers from India. In March 1939, Sir John Kotelawala suggested that all daily-paid non-Ceylonese workers in Government departments should be repatriated to the country of their birth, with gratuity and fare paid to them, and that stringent regulations should be imposed to prevent them from returning to Sri Lanka for employment in future.<sup>12</sup> Sir John's suggestion was obviously intended to solve the problem of unemployment in his country. In June 1939, the Ministry of Communications and Works liquidated as many as 2,517 (out of a total of 6,624) Indian daily-paid workers in Government departments.<sup>13</sup> Deputed by the Indian National Congress, Jawaharlal Nehru flew to Sri Lanka the same year to discuss with the Ceylonese Government the issue of the retirement of the non-Ceylonese daily-paid workers. Sir John justified the action initiated by him. Nehru's visit, therefore, proved unavailing in reversing the Ceylonese Government's policy towards the Indian immigrants. By the end of 1940, Sir John described the Indian Question as 'a matter of life and death' for the Ceylonese. "All we wanted", he wrote, "was to have the same rights that other countries enjoyed, namely to decide who the citizens of our country should be. We had the misfortune of seeing most of our lands taken over by foreign capitalists for the sake of making money at our expense. Without our consent, they imported Indian labourers."<sup>14</sup> Sir Baron Jayatillaka, the then leader of the State Council, was inclined to follow the policy of appeasement towards the Indians in Sri Lanka and was obviously opposed to their repatriation. H. J. Huxham, Finance Secretary to the Government of the country, was, like Sir John, in favour of repatriation of the Indian workers employed in Government departments. Contrasting the attitude of Sir

Baron with that of Huxham, Sir John wrote: "While Huxham seemed to be wearing Anthony Eden's hat, Sir Baron was carrying Neville Chamberlain's umbrella. The Board of Ministers approved of my proposals. The Indians had to go."<sup>15</sup>

The Indo-Ceylon problem admitted of no easy solution. To explore the possibilities of disentangling its skein and to find out a satisfactory basis for formal negotiations on all issues of common interest requiring adjustment the leaders of the two governments met together at a conference at New Delhi, the Indo-Ceylon

Relations Exploratory Conference,<sup>16</sup> as it was called, which commenced on 4 November 1940 and ended on 12th. The representatives of the Government of India were were Girija Shankar Bajpai, Ramaswami Mudaliar, Alan Lloyd, G. S. Bozman, G. T.

Rutherford and Vittal Pai. Subimal Dutt acted as the Secretary. The Ceylonese delegation was composed of D. S. Senanayake, H. J. Huxham, G. C. S. Corea and S. W. R. D. Bandaranaike.

At the outset of the discussions, the Indian leader, Bajpai, stated that from the Indian point of view the most important question was the 'present' status of Indians in Sri Lanka and the principles on which their economic and political rights were to be regulated.

The Ceylonese delegation explained, at some length, the economic condition then prevailing in Sri Lanka—increasing population, the rapidly growing unemployment, the falling standard of living and the extremely limited opportunities for further employment. And yet the Ceylonese delegation was prepared 'to recognize the claims to full rights and privileges of citizenship of those Indians who have no connection with India and have a genuine and abiding interest in Ceylon.' The Ceylonese delegation offered the following proposals for determining the status of the persons of Indian origin, resident in Sri Lanka: (a) The persons of Indian descent possessing a Ceylonese domicile of origin would be considered as Ceylonese citizens and be entitled to all the rights and privileges of the Ceylonese, provided that the fathers of such persons, if legitimate, had a Ceylon domicile of origin or of choice and that the mothers of such persons, if illegitimate, had a Ceylon domicile of origin or of choice.

Indo-Ceylon Relations Exploratory Conference, 1940.  
New Delhi

(b) Other persons of Indian descent, 'now' resident in Sri Lanka, would be entitled to the rights and privileges, normally accorded to British subjects. Those within this class, who would possess a Ceylon domicile of choice (inclusive of 5 years' residence), would, as 'now', be entitled to the State Council franchise but not to the privileges reserved for the Ceylonese under certain enactments and regulations such as the grant of Crown land under the Land Development Ordinance, rights under the Fisheries Ordinance and the right to apply for posts under the Ceylonese Government. (c) The persons of Indian descent would be entitled, on application, to certificates of residence. Such a certificate would entitle its holder to reside, and earn his living, in Sri Lanka, subject to such conditions as set forth in the certificate.

Briefly stated, the proposals of the Ceylonese Government were that the persons of Indian descent, possessed of the Ceylonese domicile of origin, would be granted Ceylonese citizenship and that other persons of Indian origin would be granted the rights and privileges normally accorded to British subjects. Among these other persons, those, who would be possessed of the Ceylonese domicile of choice, would be entitled to certain additional rights and privileges. The Ceylonese Government, it would appear, was inclined towards restricting the number of persons of Indian origin to whom full rights of Ceylonese citizenship could be extended.

The Indian representatives offered the following counter-proposals: (a) Full citizenship rights should be conferred not only on the persons of Indian descent possessing the Ceylonese domicile of origin but also on all persons of Indian origin who could furnish proofs of 5 years' residence in Sri Lanka and of their permanent interest therein. Both the tests were to be satisfied by some set of easily ascertainable facts. A married person living on the Island with his wife and children should, for instance, be regarded as satisfying the test of permanent interest in the country. 'What we are anxious to ensure', contended the Indian delegation, 'is that such tests should be specifically set out and not left to the judgment of individual officers, which is the case at present.' (b) It would, however, be agreed that such persons of Indian origin as would be admitted to the Ceylonese citizenship on their furnishing proofs of 5 years' residence in 'Sri Lanka and of their per-

manent interest therein could not claim the right to any appointment under the Ceylonese Government or under any quasi-Government body of the country. But those already serving under the Government or under any quasi-Government body should be entitled to continue in such service without discrimination. Those who were the descendants of the persons of Indian origin resident in Sri Lanka and were themselves normally residing therein should also be considered eligible for such appointments without discrimination. (c) With regard to the grant of Crown land under the Land Development Ordinance, the policy of the Ceylonese Government in regard to the lands already declared as reserved for the Ceylonese need not be disturbed but the persons of Indian origin with 5 years' residence in Sri Lanka and having permanent interest therein should be placed on a footing of equality with the Ceylonese as regards rights to all other Crown lands. (d) The persons of Indian origin, residing in Sri Lanka without qualifying for citizenship, should be entitled to engage in any lawful vocation or calling, without discrimination. (e) The persons of Indian origin, who, though resident in Sri Lanka, had not completed 5 years' residence on the date specified, should be granted a domicile of choice and full-citizenship rights.

The Indian representatives based their counter-proposals on the following principle: '...Indians, who have been resident for an agreed period of years in a particular territory under the British Government, acquire equality with the indigenous inhabitants of the territory, acquire equality of rights over the whole field of rights. That is the principle we have all along continued to insist upon.' The Indian delegation, it would thus appear, viewed the citizenship question of the persons of Indian origin in Sri Lanka in the context of the citizenship question of all persons of Indian origin, settled abroad.

The Ceylonese delegates could not accept the test of 'permanent interest in Ceylon', suggested by the Indian representatives, as adequate for the purpose of granting Ceylonese citizenship status to the Indian immigrants. The contention of the Ceylonese delegation was that whether or not any particular person of Indian origin had 'a permanent interest in the Island' could be ascertained by questioning

each such individual carefully and by considering the special circumstances of his case. In the opinion of the Ceylonese delegation, 'the Indian proposals, apparently in the interest of simplicity, were intended to replace this procedure by an artificial rule which might have little relation to actual facts.' The Ceylonese delegation also held: 'The presumption suggested for married persons shows the unreality of the proposal. While it would not be unfair to presume that a person who leaves his family in India means to return to India, it would seem illogical to say that, because an Indian lives in Ceylon with his wife and children, it is not his intention to go back to India. In fact, in the great majority of instances the contrary is the case. In this question of permanent interest, simplification can be achieved only at the expense of accuracy.' Ceylonese delegates could not also accept the Indian proposal that full rights of citizenship be conferred on the persons of Indian origin possessing merely the domicile of choice. The acceptance of this proposal, they contended, would mean, in effect, the obligation on the part of the Ceylonese Government to absorb about a million Indians together with their descendants. The Ceylonese Government was rather serious about enforcing the scheme of voluntary repatriation of the people of Indian origin so as to create wider employment opportunities for the men of the soil.

Senanayake and Bandaranaike held different views on how the problem of citizenship of the immigrant population could be settled. Senanayake favoured the idea of retaining all the immigrant labourers without, however, conferring citizenship on all of them. "We have feelings of the utmost friendliness," he said, "towards the Indian people. If we can embrace the whole Indian population in our Island, we would like to do it. That is the sort of feeling we have towards them. But our Island is a small one; it can hold only a small population and it is necessary that we should try and see what that population should be and how it should be made up. There is unemployment and the people of the country are undergoing certain difficulties...just now there are about a million Indians in Ceylon—about 9,00,000...It is not for us to absorb this total number as Ceylonese."<sup>17</sup> Bandaranaike could not agree to the policy of retaining the entire body of Indian labourers, without granting citizenship rights to all of them.

He rather favoured the policy of 'absorbable maximum or optimum'<sup>18</sup> or the policy of retaining some with citizenship conferred on them and repatriating the rest.

The Exploratory Conference of 1940 at Delhi could thus offer no solution to the problem of citizenship status of the Indian immigrants in Sri Lanka. It came to naught except for a frank appraisal of the issues involved.

A few months later, the discussion, which terminated unsuccessfully in November 1940 in Delhi, was resumed in September 1941 at a conference in Colombo where an agreement was reached between the Indian representatives led by Girija Sankar Bajpai and the Ceylonese representatives whose leader was D. S. Senanayake.<sup>19</sup> In the course of the resumed dialogue between the delegates of the Governments of the two countries an agreement was reached *inter alia* on the citizenship status and franchise question of the Indian immigrants. As regards the citizenship status, it was agreed that in future there should be no difference in treatment between the Indians, possessed of the Ceylonese domicile of origin or choice or of a certificate of permanent settlement, and other members of the permanent population of Sri Lanka; Indians other than those possessing a domicile of origin (a) should not, however, claim the right to appointment under the Government of Sri Lanka or under any quasi-Government body, provided, however, that the Indians already employed under the Government or under a quasi-Government body would be entitled to continue in such service without discrimination, and (b) should not also lay claim to the benefits of Land Development Ordinance.

On the question of franchise, the representatives at the Colombo Conference agreed to classify the Indians into two categories: (a) Those who entered Sri Lanka for the first time after the enforcement of the Immigration Ordinance of 1941<sup>20</sup> and (b) those resident on the Island from before the operation of the Ordinance. In the case of the Indian immigrants of the first category, they would be entitled to be registered for franchise on their satisfying the existing literacy test, the property qualification and the qualification of domicile of choice. The domicile of choice was, however, to be established after 5 years' residence in Sri Lanka 'to the satisfaction of

court'. As regards the second category of the Indian immigrants, registration for franchise required the satisfaction of the following conditions: (1) An Indian immigrant should be born in Sri Lanka, his parent or parents being also born there. This birth in Sri Lanka would be sufficient proof of the immigrant's possessing a domicile of origin for the purpose of registration for franchise. His birth outside Sri Lanka during the temporary absence of the mother would be deemed as birth on the Island. (2) An Indian immigrant willing to be registered for franchise on the strength of his possessing a domicile of choice would be obliged to produce before the Registering Officer the proof that he satisfied the court that after 5 years' residence in Sri Lanka he acquired a domicile of choice therein, according to the rules of English law regarding the acquisition of a domicile of choice. The Colombo agreement of 1941 also laid down the following conditions on which a certificate of permanent settlement was to be granted: (a) A declaration of the intention of the applicant to remain in Sri Lanka indefinitely; (b) proof of the means of livelihood; (c) proof that the wife and the unmarried children, if any, of a married applicant ordinarily resided with him; (d) the prescribed period of residence in Sri Lanka prior to application to be 7 years for married persons and 10 years for others, provided that such period of residence was completed within 4 years of the date of the agreement; (e) continuous absence of an immigrant for more than one year prior to application to constitute a break in any qualifying period of residence, and similar absence after registration as a voter, to involve the removal of his name from the register.

At the end of the Bajpai-Senanayake dialogue, the leaders submitted to their respective Governments a joint report embodying the 'agreed conclusions' reached by them. To the Government of India such 'agreed conclusions' proved 'disappointing' and, therefore, unacceptable. The main criticisms of the Indian Government against the 'agreed conclusions' were as follows: (a) The delegates agreed that the domicile of choice was to be established 'to the satisfaction of court'. But, in spite of their possessing the domicile of choice, the vast majority of the labourers would not be able to prove it 'to the satisfaction of court'. (b) The prescription of a continuous residence in Sri Lanka for a period of 7 or 10 years, as

the case might be, in place of the previously admitted 5 years' residence, for eligibility to a certificate of permanent settlement was prejudicial to the interests of the Indians seeking citizenship status. Moreover, the proviso that the period of residence of 7 or 10 years should be completed within 4 years of the date of the agreement would have the effect that a married Indian with less than 3 years' residence and an unmarried Indian with less than 6 years' residence in Sri Lanka before the agreement would not qualify for franchise, unless they came under the purview of literacy test or of property qualification or unless they established their domicile of choice in a court after completing their 5 years' residence on the Island.<sup>21</sup> The Government of India found no justification for the tightening of the existing franchise law.

The Government of India could not, therefore, ratify 'the agreed conclusions' of September 1941. The Indian delegates<sup>22</sup> were not plenipotentiaries. They were merely charged with exploring the possibilities of an agreement on the franchise and citizenship questions. Their 'agreed conclusions' could not, therefore, be approved by the Central Legislative Assembly in India. So, the stalemate continued.

With the appointment of the Soulbury Commission in 1944 to discuss proposals for constitutional reforms in Sri Lanka

the citizenship question of the Indians  
therein once more came to the forefront  
of the country's politics. The Soulbury  
Commission was well aware of the  
Ceylonese people's anxieties arising out  
of the likelihood of large-scale enfranchisement of the  
Indian immigrants, and, despite strong representations  
from the Ceylon Tamil and Indian Tamil organisations,  
decided that the Indian Question was an internal matter  
to be disposed of by the future legislature.<sup>23</sup> The Commission,  
therefore, left the existing basis of franchise in Sri Lanka  
undisturbed. It observed : 'We are satisfied from our perusal  
of the contemporary despatches and debates and from evidences  
furnished to us that, if the qualification of these Indian  
immigrants for the franchise had depended solely on the  
condition of 5 years' residence in the Island, as recommended  
by the Donoughmore Commission, the Constitution of 1931  
would not have been accepted by the Legislative Council.'<sup>24</sup>

Logically, therefore, the Soulbury Commission could not concede that the Indian community in Sri Lanka be enfranchised and placed on a footing of political equality with the rest of the population therein. Neither could the Commission endorse the Indian claim that the Indians resident in Sri Lanka for the prescribed number of years and making a declaration of permanent settlement therein be given full citizenship right and assimilated to the body politic of Sri Lanka and that provisions to this effect be made in the constitution of the country.<sup>25</sup> The Indians also solicited 'balanced representation' or the distribution of seats in the proposed House of Representatives between the majority group or the Sinhalese, on the one hand, and the minorities including the Indians, on the other, on the basis of 50 per cent each. The Soulbury Commission could not grant the Indian request for 'balanced representation' on the ground that such a request purported to impose communal representation which was viewed by it as undesirable. The further Indian demand for the statutory provision that not more than half the members of the proposed cabinet be chosen from any one community was also rejected by the Sinhalese political elites,<sup>26</sup> and was not conceded by the Commission either. The stalemate continued.

The report submitted by the Soulbury Commission (1944-45) supplied the basis of a new Constitution of Sri Lanka, the Soulbury Constitution, which came into force in May 1946. Under it, Sri Lanka was granted 'full responsible government in all matters of internal civil administration.' Clearly, the country's independence was in the offing. India became a Dominion in August 1947 while Sri Lanka attained her Dominion Status in February 1948. In December 1947, the Ceylonese Prime Minister, D. S. Senanayake, met Jawaharlal

Delhi talks  
between Nehru  
and Senanayake  
in December 1947

Nehru in New Delhi to thrash out the old problem of the citizenship status of the Indians, resident in Sri Lanka.<sup>27</sup> The discussion between the two Prime Ministers commenced on the morning of 28 December

and continued till 30th of the month, mainly on two questions: (a) who among the Indians, resident in Sri Lanka, should be considered eligible for the Ceylonese citizenship and (b) how they should be admitted to such citizenship. In opening the discussion, Nehru said that, so far as India was concerned, if

all Indians in Sri Lanka wished to retain Indian nationality, they were welcome to do so. But a number of Indians, long resident in Sri Lanka, had made that country their home and were, therefore, desirous of becoming the citizens of Sri Lanka. India was anxious that such Indians be given the opportunity to acquire the Ceylonese citizenship. Nehru also made it clear at the outset that an Indian admitted to the citizenship of Sri Lanka would cease to be an Indian national. Appreciating the position thus outlined by Nehru, Senanayake observed that 'while Ceylon would certainly find it difficult to absorb in her economy the large number of Indians, resident in Ceylon, it was his desire to absorb all those who had made Ceylon their home. Persons who really did not intend to make their permanent home in Ceylon should, however, be prevented from acquiring the status of Ceylon citizenship.' In Senanayake's view, a mere declaration of intention by an applicant for acquiring the citizenship of Sri Lanka would not be sufficient, for, in that case, it would give handle to politicians to induce even the unwilling persons to make such a declaration. He was, therefore, of the opinion that applications for citizenship should be dealt with by a court of law in order that 'the proceedings might be invested with solemnity' and 'the declaration of intention might not be made without a real desire for citizenship.' Nehru could not favour the complicated procedure of applying through a court of law on the ground that such a procedure would deny citizenship, in practice, to many of the poor and illiterate people of Indian origin in spite of their possessing necessary qualifications for citizenship. He, therefore, pleaded for a simple and inexpensive procedure, namely five years' residence and a declaration of intention by them to make Sri Lanka their home. If necessary, the application could be accompanied by affidavit in support of residence, he added.

At the end of the discussion on the second day, Nehru requested Senanayake to set down in writing the qualifications which he would consider adequate for citizenship. Senanayake agreed and committed to paper his proposals regarding the qualifications for citizenship on 29 December.<sup>28</sup> Senanayake's written proposals, which formed the subject of discussion at the next day's sitting, are set forth below<sup>29</sup>: (1) Period of residence: A period of 7 years' continuous residence for

married persons and a period of 10 years' continuous residence for unmarried persons preceding 31 December 1941, such periods of residence being completed prior to 31 December 1945; absence exceeding one year constituting a break of continuous residence. (b) Adequate means of livelihood. (c) Family residence: If the applicant were married, his wife and minor children, if any, should have ordinarily resided with him. (d) Compliance with the laws and customs of the country: The applicant should be in a position to comply with the laws and customs of the country. (e) Procedure for the grant of Ceylonese citizenship: The preceding conditions should be established in a court of law. (f) Forfeiture of Indian citizenship: On the grant of Ceylonese citizenship, the applicant should forfeit all claims to Indian citizenship.

On Senanayake's written proposals Nehru offered the following comments *seriatim*:

(a) Period of residence: Nehru held, it was unusual that, while agreement was being reached at the end of 1947, the qualifying period of residence was to be linked to 1941 and 1945. He suggested that the period of residence for both bachelors and married persons should be 7 years preceding 1 January 1948 and that absence from Sri Lanka not exceeding 1 year at any one time should not constitute a break of continuous residence. (b) Adequate means of livelihood: Nehru remarked that this was 'a very wide phrase'. He could understand it if it were proposed to exclude destitutes from citizenship. He, however, hoped that it was not the intention of the Ceylonese Government to exclude from citizenship the persons who were temporarily unemployed owing to a depression in some industry or to other causes. He therefore, suggested that the phrase 'adequate means of livelihood' should be avoided and that, while vagrants and destitutes should be ineligible for citizenship, no person, who was employed or temporarily unemployed but employable, should be precluded from citizenship. (c) Family residence: The proposal of Senanayake was accepted by Nehru. (d) Compliance with the laws and customs of the country: Nehru appreciated that every person should be subject to the general law of the country but held that customary law was generally a derogation from the general law and would apply only to the persons belonging to a particular group which was subjected

to such customary law. He could not understand, for example, how an Indian Hindu, who became a citizen of Sri Lanka, could become subject to a customary law appropriate to a group to which he did not belong. He observed that the customary law of the Jaffna Tamils might be different from that of the Sinhalese in the matter of inheritance. The Prime Minister of Sri Lanka sought to justify his stand by citing the example of a Hindu with two wives. In Sri Lanka, he said, a Hindu could not legally marry a second wife while the first one was alive. An Indian Hindu with two wives would not, therefore, be in a position to comply with the laws of Sri Lanka and would, accordingly, be disqualified from the country's citizenship. Nehru observed that his view was that every citizen should be required to comply with the general law of the country applicable to all persons but that it was unreasonable to expect that the persons of Indian origin should be debarred from following their own customs and be subjected to the customary laws of other groups. Nehru, however, did not insist that the persons of Indian origin be allowed to have more than one wife. He considered that it should be enough to state that the applicant should comply with the laws of Sri Lanka on becoming a citizen of the country. (e) Procedure. The Prime Minister of Sri Lanka favoured the procedure that applications for citizenship should be received and dealt with by courts of law. Nehru proposed that it would be sufficient if a Commissioner, duly authorized by the Government of Sri Lanka, satisfied himself regarding the validity of an applicant's claim to citizenship and granted him naturalization. The procedure envisaged by him was that the candidate should submit an application, setting out his qualifications and supported by an affidavit, and give a declaration to make Sri Lanka his home. The application should be accepted and the naturalization granted by the Commissioner. If necessary, the actual order for the grant of Ceylonese citizenship might be signed by a court to which the Commissioner might submit his recommendation. If the Commissioner wanted to verify the period of residence etc., declared by the applicant in his application, he could cause necessary enquiries to be made by visiting the estate of the labourer and by examining the various registers. If the Commissioner considered that even after such verification he was not in a

position to grant the application, he should refer the matter to a civil court which should then ask the applicant to satisfy it on the points on which satisfaction was necessary. After all, the procedure should be simple. (f) Forfeiture of Indian citizenship or avoidance of double citizenship: It was agreed that no Indian who would be admitted to the citizenship of Sri Lanka would be allowed to retain Indian citizenship at the same time. Nehru promised to examine whether it would be necessary to take any legal steps in India to prevent the continuation of Indian citizenship by those who would be admitted to the citizenship of Sri Lanka.

Senanayake reexamined his original proposals in the light of Nehru's criticisms and comments and wrote to him on 16 March 1948, communicating the modification of his original standpoint to the extent indicated below<sup>30</sup>:

(a) Period of residence: Senanayake agreed to drop the reference to the year 1941 but regretted that it was not practicable to fix the limiting time to a date later than 31 December 1945. On the question of the difference in the qualifying period of residence for married and unmarried persons, he could make no concession but retained the differences as originally proposed by him. Absence exceeding one year at any one time would constitute a break in the continuity of residence. (b) Adequate means of livelihood: Senanayake appreciated Nehru's argument that this requirement might not exclude from citizenship the persons who happened to be temporarily unemployed. On the other hand, it would be necessary to differentiate between those lacking adequate means of livelihood due to temporary unemployment and those who were really destitute vagrants or were, for some reason, unemployed. In the circumstances, the implication of the requirement of the 'means of livelihood' was clarified thus: 'I think it would meet the case if a period of 2 years from the date of legislation be allowed to Indians to apply for citizenship. It is reasonable to presume that a person temporarily unemployed will be able within this period to satisfy the requirement regarding the means of livelihood.' Senanayake, in other words, insisted on the possession of the means of livelihood at the time of application which could be filed within a period of 2 years from the date of legislation. (c) Family residence: As Senanayake's original proposal was

approved by Nehru, it remained unchanged. (d) Compliance with the laws and customs of the country: Senanayake admitted that the phrase 'customs of the country' was too vague and was liable to misleading interpretation. So, he modified his proposal and restated it thus: 'One of the conditions should be that the applicant is not a party to any subsisting marriage which would have been invalid as being bigamous or (as being) within the prohibited degrees of kinship, if it had been contracted in Ceylon'. Senanayake's modified proposal also required the applicant to give a declaration that he understood that, once he was vested with Ceylonese citizenship, he would cease to enjoy the privileges of Indian citizenship, including the recourse to the protection of the Government of India. The applicant should also declare that he suffered from no disability to adopt the citizenship of Sri Lanka. (e) Procedure for the grant of Ceylonese citizenship: Senanayake agreed with Nehru that the procedure should be simple and inexpensive but was not agreeable to subject the acquirement of his country's citizenship to the mere formality of an application. Accordingly, he modified the procedure thus: The application, supported by the applicant's affidavit and other documents, should be submitted to a Commissioner appointed for the purpose of dealing with such applications. The Commissioner would thereafter refer the application to a local investigating officer for verification and report. The investigating officer would thereupon submit his report to the Commissioner after making necessary investigation about the applicant. On consideration of the report, the Commissioner or his Deputy would give public notice in a prescribed manner that the application would be allowed unless any objection was received within one month of the date of notice. If no objection was lodged with the Commissioner within the specified time, he would issue orders granting the application. If, however, any objection was duly lodged with the Commissioner, he would enquire into the objection personally or entrust the enquiry to his Deputy. At the close of the enquiry, the Commissioner would issue orders, allowing or refusing the application. The orders thus issued would be treated as final. (f) The forfeiture of Indian citizenship: Appreciating the undesirability of dual citizenship, Nehru promised to take legal steps to divest those, already admitted

to Ceylonese citizenship, of their Indian citizenship. Senanayake's original proposal, therefore, remained unchanged.

On receipt of the above proposals of Senanayake, Nehru prepared the following aide-memoire<sup>31</sup> and sent it to the

Nehru's Aide-  
Memoire, 24 April  
1948

Government of Sri Lanka through the Indian High Commissioner on 24 April 1948: (a) On the period of residence,

Nehru stated as before that the Government

of Sri Lanka should agree to prescribe a continuous residence of 7 years preceding 1 January 1948 uniformly for all persons of Indian origin, married or unmarried. An absence from the country not exceeding 1 year at any one time should not constitute a break in the continuity of residence. He further stated: 'It was unnecessary to consider the question of marriage with reference to the period of residence. In the majority of cases, documentary evidence of marriage does not exist and it would be extremely difficult to produce any other kind of evidence. Any enquiry into marriage would add greatly to the difficulties of an applicant in establishing his claim to Ceylon citizenship and should, therefore, be avoided.' (b) On the means of livelihood, Nehru stated that the 'means test' of any kind would lead to many difficulties in practice and would be regarded as discriminatory against poorer classes. There would also be difficulties in devising reasonable tests for different classes of applicants like casual labourers, hawkers, petty traders etc. He, therefore, suggested to the Government of Sri Lanka that the application for citizenship should be made within a period of 2 years from an appointed date and that no person, who was a destitute or a vagrant or was unemployable owing to physical or mental disability, should be eligible for citizenship, provided, however, that persons, who had ceased having an employment owing to superannuation or industrial disability but were not destitutes or vagrants, should not be ineligible. (c) Regarding family residence, Nehru stated that the requirement that the wife and minor unmarried children of a married applicant should ordinarily reside with him was accepted by the Government of India. (d) As regards compliance with the laws and customs of Sri Lanka, Nehru agreed that it would 'certainly' be within the competence of the Ceylonese Government to regulate, in future, the marriage customs of the persons of Indian origin admitted to Ceylonese

citizenship, by prohibiting bigamous marriage by fresh legislation, if necessary. But he considered it to be unfair to hold past marriages as a disqualification for citizenship on the ground that such marriages, if contracted in Sri Lanka, would have been treated as bigamous or as falling within the prohibited degrees of kinship. Nehru also pointed out in his aide-memoire that polygamy as such was not prohibited in Sri Lanka, as the Muslims there were governed by their own Islamic laws in the matter of marriage. He, therefore, felt that the disqualification on the ground of marriage should be omitted. (e) On the procedure for the grant of citizenship, Nehru expressed satisfaction at the Ceylonese government's acceptance of his suggestion that the applications should be dealt with by a Commissioner rather than by a court of law. (f) Lastly, as regards the avoidance of double citizenship, Nehru agreed that an Indian, once admitted to Ceylonese citizenship, would cease being an Indian citizen.

The Government of Sri Lanka could not finally endorse Nehru's suggestions embodied in his aide-memoire. In fact, the Delhi talks of December 1947, followed by the aide-memoire, on the acquisition of citizenship status by the persons of Indian origin were set at naught, when the Government of Sri Lanka sought to redefine the conditions of Ceylonese citizenship in two subsequent enactments—Ceylon Citizenship Act, No. 18 of 1948 and the Indian and Pakistani Residents (Citizenship) Act, No. 3 of 1949.<sup>32</sup>

Ceylon Citizenship Act No. 18, which came into operation on 15 November 1948, laid down that a person would be

entitled to the status of a citizen of Sri Lanka either by the right of descent or by virtue of registration. A person possessed of such status would be called a 'citizen of

Ceylon'. The Act, in other words, created two types of citizenship—citizenship by descent and citizenship by registration. Some of the salient provisions relating to citizenship by descent were as follows: (i) A person, born in Sri Lanka before 15 November 1948, would have the status of a citizen if (a) his father was born in the country or (b) if his paternal grandfather and paternal great grandfather were born therein [Section 4 (1)]; (ii) a person, born outside Sri Lanka before the above-mentioned date, would have the status of a citizen

Ceylon Citizen-  
ship Act No. 18  
of 1948

if (a) his father and paternal grandfather were born in the country or (b) if his paternal grandfather and paternal great grandfather were born therein [Section 4 (2)] ; (iii) a person, born in Sri Lanka on or after 15 November 1948, would have the status of a citizen if, at the time of his birth, his father was a citizen of the country [Section 5(1)], whereas a person, born outside Sri Lanka on or after 15 November 1948, would have the status of a citizen if, within one year of the date of his birth or within such further period as the Minister might 'for good reason' allow, his birth was registered either at the office of the Consular Officer of Sri Lanka in the country of his birth or at the office of the Minister in Sri Lanka [Section 5(2)] ; (iv) again, on the basis of an application of a person in the prescribed manner, the Minister of Sri Lanka might, in his discretion, grant a certificate of citizenship by descent to such a person about whose status as a citizen by descent some doubt existed. The certificate thus issued would be the conclusive evidence of the person's status as a Ceylonese citizen [Section 6] ; (v) 'every person, first found in Ceylon as a newly born deserted infant of unknown and unascertainable parentage, shall, until the contrary is proved, be deemed to have the status of a citizen of Ceylon by descent' [Section 7].

As regards citizenship by registration, it could be claimed under Section 11 by an applicant having the following qualifications: (a) Of 'full age and of sound mind', the applicant should be a person whose mother was a citizen of Sri Lanka by descent or would have been a citizen by descent if she had been alive on 15 November 1948 ; (b) the applicant, if married, should be resident in Sri Lanka for 7 years and, if unmarried, for 10 years immediately preceding the date of application ; (c) the applicant should be a person whose father was a citizen of Sri Lanka by descent or whose father having been a citizen of Sri Lanka by descent whether at or before the time of his birth had ceased to be a citizen of the country ; and (d) the applicant was a person who was ordinarily resident in the country. Under Section 11A, citizenship by registration could be claimed by an applicant who was the spouse or widow of a citizen of Sri Lanka by descent or registration or was a widower whose deceased wife was such a citizen of Sri Lanka, provided that the applicant had been resident in Sri Lanka for 1 year immediately preceding the date of application.

Under Section 13, the request of an applicant for citizenship by registration to include the name of any minor child of his in the certificate of registration would be granted. Section 14 specifies persons who would not be eligible for citizenship by registration. Under Sections 16 and 17, a certificate of registration would be granted to every person registered as a citizen of Sri Lanka. The Act also gave the Minister the discretionary power of registering 25 persons each year for distinguished public service or for eminence in professional, commercial, industrial or agricultural life. Finally, the Act laid down the provisions relating to the loss of citizenship of Sri Lanka.

The scheme of citizenship either by descent or by registration, as embodied in the Act of 1948, was obviously very much restrictive. The Act made no provision for the grant of citizenship only by virtue of a person's birth in Sri Lanka. Citizenship was, in effect, restricted to the persons having family connections with the country for at least two generations. Most of the Indian immigrants found it very difficult to prove to the satisfaction of the authorities that their father was born in Sri Lanka, as required under Section 4(i) (a) of the Act. Compliance with Section 4(i) (b) requiring proof of birth in Sri Lanka of the applicant's paternal grandfather and paternal great grandfather was even more difficult, as the Registration of Births Ordinance came into force only after 1895. It took some time more to complete arrangements for registration. The citizenship provisions under the Act of 1948 were, in fact, unacceptable to the Indians in Sri Lanka. The provisions were rigid, stringent and restrictive.<sup>83</sup> Commenting on the Act, Pieter Keuneman, Ceylon Communist Party leader, said in the House of Representatives: 'The production of birth certificate is not an easy matter. The Honourable Parliamentary Secretary always speaks about the fact that justice must be equal and that respectability is not a question of trousers and wealth. Well, if you were born in a certain class, it is not difficult to produce certificates because that class of persons are used to keeping certificates. But there are no birth certificates available to poorer people. Many of them do not bother to keep certificates and, in the case of older persons, there are no certificates available because it was only in the early part of the 20th century that the regis-

tion of births became compulsory. Luckily nobody has asked me to prove that I am a citizen of Ceylon, but I certainly could not do that by producing my father's birth certificate because my late father was born before registration of births took place.<sup>34</sup> Continuing further, Keuneman said that he was not sure whether the first Prime Minister of Independent Ceylon, D. S. Senanayake, father of the Leader of Opposition, Dudley Senanayake, had a birth certificate. 'I do not know', Keuneman commented in this connection, 'whether the Leader of the Opposition would ever be able to prove that he is a citizen of Ceylon according to the formal requirements under the law.'<sup>35</sup>

The Act of 1948, it would thus appear, offered very limited scope to the persons of Indian origin in Sri Lanka for obtaining Ceylonese citizenship. It was difficult for most of them to establish their claim to Ceylonese citizenship by descent or by registration by fulfilling the conditions imposed by the Act.

The conditions of citizenship, as further defined by the Ceylonese Government's next enactment, Indian and Pakistani Residents (Citizenship) Act No. 3 of 1949, proved no less difficult to the Indian residents to fulfil. Under the Act, which came into force on 5 August 1949,<sup>36</sup> an Indian or Pakistani resident of Sri Lanka was to be granted the citizenship status of the country through registration, if he possessed the special residential qualification, namely uninterrupted residence in Sri Lanka, immediately prior to 1 January 1948, for 7 years for married persons and for 10 years for unmarried persons [Section 3(1) (2)]. The continuity of residence of an Indian or Pakistani resident would be deemed to have been interrupted, if his absence from the Island on any one occasion exceeded 12 months in duration [Section 3(3)].

Indian and  
Pakistani Resi-  
dents (Citizenship)  
Act No. 3 of 1949

The continuity of residence would be deemed to have been uninterrupted notwithstanding the Indian's or Pakistani's absence from Ceylon for any period if, during that period, he was in the employment of the Government of Ceylon and was resident in

another country for the purposes of such employment or if, during that period, he was in service in any other country as a member or employee of any of His Majesty's forces [Section 3(2a)]. Section 6 prescribed the following conditions under

which applications for citizenship by registration might be allowed: (1) The applicant should be an Indian or Pakistani resident; (2) the applicant should be the widow or the orphaned minor child of an Indian or Pakistani resident; (3) the applicant (other than a minor orphan under 14 years of age or a student at any University or at any other educational institution approved by Government) should be possessed of an assured income of a reasonable amount or should have some suitable business or employment or other lawful means of livelihood; (4) if the applicant was a male married individual, his wife should be uninterruptedly resident in Sri Lanka from a date not later than the first anniversary date of her marriage until the date of the application, and each minor child dependent on the applicant should be uninterruptedly resident in Sri Lanka from a date not later than the first anniversary date of the child's birth until the date of the application. The continuity of residence of the wife or the minor child of the applicant should, notwithstanding her or the child's occasional absence from Sri Lanka, be deemed to have been uninterrupted, if such absence did not, on any one occasion, exceed 12 months in duration; (5) the applicant should be free from any incapacity or disability which might render it difficult or impossible for him to live in Sri Lanka according to the laws of the Island; (6) dual citizenship being incompatible with the provisions of the Act, the applicant would be deemed by law to have renounced all right to the civil and political status which he had in the country of origin and would be deemed to be subject to the laws of Sri Lanka in all matters relating to, or connected with, the status, personal rights and property in the country. Under Section 7, every application for registration should be made in the prescribed form, duly supported by affidavits of the applicant as to the facts and particulars stated in the application. Under Sections 8 and 8A, the application for registration being filed, it would immediately be referred by the Commissioner for verification to the investigating officer of the area where the applicant resided. The investigating officer would accordingly furnish the Commissioner, after necessary verification, with a report on the strength of which the Commissioner would allow or refuse the application. An applicant dying before the issue of the Commissioner's order, the Commissioner would consider the case of

any other person or persons for whose registration the applicant had, prior to his death, made a request in the application. Under Section 9, if the Commissioner rejected an application, he would serve a notice on the applicant, setting out the grounds of his rejection and giving him an opportunity to show cause to the contrary within 3 months of the date of the notice. No cause being shown within the prescribed period, the Commissioner would issue order refusing the application. Section 15 provides for the filing of an appeal against the order to the Supreme Court within 3 months of the issue of the Commissioner's order. Under Section 16, as soon as an order allowing an application took effect, the Commissioner would cause the applicant to be registered as a citizen of Sri Lanka. He would then issue a certificate of registration in the prescribed form in favour of the applicant who would thereupon take the oath of citizenship. Finally, the Act prescribed a two-year period, reckoned from an appointed date, for filing applications for registration. The Act of 1949, like the preceding Act of 1948, no doubt, proved prejudicial to the political status of the Indians in Sri Lanka by considerably restricting their admission to the citizenship of the country. Persons, who were not able to produce the evidence of their birth in Sri Lanka, applied for citizenship through registration under the Act of 1949. But a fairly large number of applications were rejected on various grounds such as failure on the part of the applicants to prove their uninterrupted residence in the country for the prescribed period or to produce proofs of their assured income of a reasonable amount. Applications could not be favourably considered also on technical grounds. The signature of the Justice of Peace, for instance, who attested the affidavit, was not legible or the marriages of the persons of Indian origin were repugnant to the laws of marriage and divorce prevailing in Sri Lanka. Most of those whose applications were thus rejected had no financial means to appeal to the Supreme Court against the order of the Commissioner.

The Act of 1949 was soon followed by Ceylon (Parliamentary Elections) Amendment Act no. 48 of 1949 which amended the Ceylon Parliamentary Elections Order-in-Council of 1946. The Order-in-Council of 1946 provided that every British subject, resident in Sri Lanka for 6 months and otherwise qualified, would have the right to vote and to hold political

office in the country. The Amendment Act of 1949, Ceylon (Parliamentary Elections) Amendment Act no 48 of 1949 however, laid down that in order to be a voter and to be eligible for the membership of Parliament one must first be a citizen of Sri Lanka. The amendment had the effect of disqualifying the persons of Indian

origin, not admitted to Ceylonese citizenship, from exercising the right to franchise or the right to seek election to Legislature.

The exclusion of a large majority of persons of Indian origin from Ceylonese citizenship and consequently, from the exercise of the right to franchise prevailed upon the Ceylon Indian Congress to launch a Satyagraha movement, the first of its kind organized in Sri Lanka on the pattern of Mahatma Gandhi's non-violent struggle, as in South Africa and India. In an official statement,<sup>37</sup> issued on the eve of the launching of the movement, the Ceylon Indian Congress justified its decision to launch the movement and appealed to the country's conscience for a fair and just deal with the people who, though of Indian origin, were born in Sri Lanka and had been living there for generations. The Congress characterized in its statement the existing citizenship and franchise laws as unjust and as prejudicial to the

Satyagraha Movement of 1952 .  
interests of the Indian community and pleaded that the citizenship question being a problem in human relation should be approached from that angle. Concluding the statement, the Congress observed: 'It (the Satyagraha movement) is a call of an unfortunately placed community to the rest of the body politic to arouse them to an awareness of the injustice that is being perpetrated on the Indians in Ceylon. The confiscation of civic rights from the entire community is a matter that could not be regarded with indifference. It is the very anti-thesis of democracy. By Satyagraha, therefore, we wish to focus public attention to the need for securing citizenship laws, that would be reasonable and fair, and for the immediate restoration of franchise to those deprived of it, enabling them to exercise it at the forthcoming general election. In this endeavour to achieve an amicable settlement of a long-standing problem, we invoke the blessings of God and the co-operation and sympathy of all.'

The Satyagraha movement commenced on 29 April 1952, Undeterred by the openly declared non-co-operation of the Indian business community<sup>38</sup> in Colombo, the Ceylon Indian Congress continued its movement under the leadership of Messrs S. Thondaman, Aziz, K. Kumaravelu, K. Rajalingam, S. Fernandez, N. M. Palaniswami, R. M. Chettiah, K. G. S. Nair (General Secretary of the Ceylon Indian Congress), V. R. S. Perumal, Velu Pillai, M. Sellasamy, P. N. S. Sami and others.<sup>39</sup> The Satyagrahis staged sit-down strikes and observed fast in batches for hours together outside Ministers' (including Prime Minister) offices and on the steps of the House of Representatives, invariably maintaining a peaceful front. Neither the leaders nor the ordinary Satyagrahis offered any resistance to the policemen who were deputed to arrest them. The Satyagrahis were put in police vans, transported to various points outside Colombo and then were set free. As the movement proceeded, even some of the Sinhalese citizens joined the Satyagrahis in their fast. A Kandyan Sinhalese, M. E. Abeykoon, for instance, joined the Ceylon Indian Congress leaders in their fast on the corridor of the Prime Minister's office on the morning of 4 May.<sup>40</sup> The Ceylon Indian Congress suspended the Satyagraha movement on 16 September<sup>41</sup> after the leaders and volunteers had broken their 24-hour fast at 6 P.M. that day, on an assurance being given by the Ceylonese Prime Minister, D. Senanayake, that the Departments concerned with registration had been ordered to expedite the disposal of the applications of the Indian residents and to investigate the possibility of reducing procedural difficulties. The fast was ended with prayers and with the singing of Gandhiji's favourite hymn 'Raghupati Raghava Rajaram'.<sup>42</sup> Over 5,000 volunteers had so far participated in the Satyagraha.<sup>43</sup> The Ceylonese Government welcomed the decision of the Congress to suspend the Satyagraha. Sir Kanthiah Vaithianathan, Foreign Secretary to the Government of Sri Lanka, told the Press Trust of India that the suspension of the movement 'would help us go ahead with our work in a calmer atmosphere'.<sup>44</sup>

The suspension of the Satyagraha movement and the assurance of the Government of Sri Lanka could not, however, ease the situation arising out of the enactments of 1948 and 1949. In April 1953, therefore, the then Indian High

Desai-Senanayake  
talks in Colombo  
in April 1953

Commissioner in Colombo, C. Desai, held discussion with D. Senanayake on the registration and citizenship questions of the people of Indian origin. The discussion was, however, left inconclusive. It was resumed by Nehru when he met Senanayake in London in June 1953 on the occasion of the

**Nehru-Senanayake coronation of the British Queen Elizabeth II. talks in London in June 1953** The London talks between Nehru and Senanayake proceeded on the basis of the following proposals,<sup>15</sup> made by the Ceylonese Prime Minister:

Of the 9,50,000 Indians estimated to be in Sri Lanka in June 1953, 4,00,000 could be expected to be registered as the citizens of Sri Lanka in the normal course of the operation of the Citizenship Act of 1949. A further 2,50,000 persons would be granted Permanent Residence Permits, whose future would be reviewed after 10 years. If any of them desired to go back to India and adopt Indian citizenship during this period, the Indian Government would not raise any objection. The number of persons of Indian origin registered as citizens of Sri Lanka plus the number granted Permanent Residence Permits should not exceed 6,50,000, this being regarded as the maximum, not the minimum, figure. The balance of Indian residents in Sri Lanka, approximately 3,00,000, should be accepted as Indian citizens by the Government of India and be compulsorily repatriated over a period of years. All these steps were to be the part of an integral scheme of settlement of the Indo-Sri Lanka problem.

Nehru could not agree to any form of compulsory repatriation of the Indians resident in Sri Lanka. He further desired that the number of the people of Indian origin to be granted Ceylonese citizenship under the Act of 1949 together with the number of those to be granted Permanent Residence Permits be increased to 7,00,000. Senanayake could not, however, agree with Nehru. Their London talks, therefore, failed. The two Prime Ministers, thereupon, left the matters where they were for the time being.

A change of Government took place in Sri Lanka in October 1953. Senanayake came to be succeeded by Sir John

**Nehru-Kotelawala Pact of January 1954** Kotelawala. Nehru invited Sir John to New Delhi to discuss with him outstanding issues relative to the Indian Question. The invitation was accepted, and the two leaders met in New Delhi in

January 1954. Their conference extending from 16th to 18th of the month resulted in an Indo-Ceylon Agreement, called the Nehru-Kotelawala Pact of January 1954, which embodied the following proposals :<sup>46</sup>

### Illicit Immigration

(1) 'Both Governments are determined to suppress illicit immigration traffic between the two countries and will take all possible steps, in close co-operation with each other, towards that end. Periodical meetings between high Police authorities on either side of the Palk Strait may be held, and information relating to illicit movements, exchanged.'

(2) 'The Government of Ceylon propose to undertake the preparation of a register of all adult residents, who are not already on the electoral register, and will maintain such registers up to date. When this registration is completed, any person, not so registered, will, if his mother tongue is an Indian language, be presumed to be an illicit immigrant from India and (will be) liable to deportation, and the Indian High Commissioner will extend all facilities for the implementation of such deportation.'

(3) 'The Government of Ceylon may proceed with the Immigrants and Emigrants Amendment Bill, which throws on the accused the onus of proof that he is not an illicit immigrant; but before any person is prosecuted in accordance with this provision, the Government of Ceylon will give an opportunity to the Indian High Commissioner to satisfy himself that a *prima facie* case exists for such prosecution, the final decision being that of the Government of Ceylon.'

### Citizenship by Registration

(4) 'The registration of citizens under the Indian and Pakistani (Citizenship) Act will be expedited and every endeavour will be made to complete the disposal of pending applications within 2 years.'

(5) 'All persons registered under this Act may be placed by the Government of Ceylon on a separate electoral register, particularly in view of the fact that the bulk of the citizens do not speak the language of the area in which they reside. This arrangement will last for a period of only 10 years. The Government of Ceylon agree that in certain constituencies,

where the number of registered citizen voters is not likely to exceed 250, they shall be put on the national register.'

(6) 'Citizens whose names are placed in the separate electoral register will be entitled to elect a certain number of members to the House of Representatives, the number being determined after consultation with the Prime Minister of India. The Government of Ceylon expect to complete their action in this respect before the present Parliament is dissolved in 1957.'

(7) 'In regard to those persons, who are not so registered, it would be open to them to register themselves as Indian citizens, if they so choose, at the office of the Indian High Commissioner, in accordance with the provisions of Article 8 of the Constitution of India. It is noted that Ceylon proposes to offer special inducements to encourage such registration and that these inducements will be announced from time to time. The Government of India will offer administrative and similar facilities to all persons of Indian origin to register themselves as Indian citizens under the Constitution of India, if they so choose, and will also give publicity to the availability of such facilities.'

(8) 'Both Prime Ministers are desirous of continuing the present practice of close consultation between the two governments in matters affecting their mutual interests.'

The above Pact, concurred in by the Prime Ministers of both the countries, was but a milestone on the road to the solution of the Indo-Sri Lanka problem. The Pact, however, offered no satisfactory basis for the final settlement of the issues involved in the problem. Kotellawala, who was 'determined to succeed where his predecessor had failed', admitted that the Pact 'was not a final settlement but marked the beginning of a definite advance towards that end.' Nehru also described the Pact, in the course of Parliamentary debates on 15 May 1954, as 'a big word', though, as he also held, 'it was not a solution but an understanding as to how to proceed about this matter in order to reach a solution.'<sup>47</sup>

The Nehru-Kotellawala Pact, embodied proposals, as stated above, on illicit immigration and citizenship by registration. On illicit immigration, Kotellawala stated in the House of Representatives that during 'recent' years (1950-1953) 'the menace of the unauthorized and clandestine entry of Indian

immigrants into the Island had been assuming alarming proportions'. In support of his statement he gave out that 930 illicit immigrants were arrested in 1950, 3,800 in 1951, 9,800 in 1952 and 5,120 in 1953. Kotelawala's estimate was that for every single detection made three escaped into Sri Lanka.<sup>48</sup> It was no wonder, therefore, that he proposed to Nehru at the Delhi Conference to take steps towards ending the 'menace' of illicit immigration. The main proposal, of course, related to the registration of Indians for Ceylonese citizenship. Such registration was to be considered on the basis of applications from the persons desiring to be admitted to Ceylonese citizenship. The Ceylonese authorities carefully avoided committing themselves to a numerical form of settlement, that is, to fixing the maximum number which could be admitted to Ceylonese citizenship such as was committed at the London talks of June 1953 between Nehru and Senanayake. A settlement by fixing the numerical ceiling of persons to be admitted to the citizenship of Sri Lanka would have been, as Kotelawala held, 'injurious to the interests of the country'.<sup>49</sup> The whole emphasis was laid on making necessary applications on the basis of which the citizenship question was to be settled. The Indians resident in Sri Lanka were required to apply either to the Ceylonese Government for Ceylonese citizenship or to the Indian High Commissioner at Colombo for recognition as Indian citizens. Those whose applications would not be favourably considered for Ceylonese citizenship should be actively encouraged with inducements, direct and indirect, to register themselves as Indian citizens. A direct inducement would be the offer of passage-money and compensation, while an indirect inducement would take the form of the practical withdrawal of facilities for sending remittances to India from all except those who registered themselves as Indian citizens. Another indirect inducement was the stipulation that any person wishing to travel to India would be required to hold either an Indian passport or a passport for Sri Lanka. The contention of the Ceylonese Government was that those not admitted to Ceylonese citizenship would be automatically treated as Indian citizens and should, therefore, be repatriated to India. The Government of Sri Lanka was not prepared to recognize them as 'Stateless persons'. The Ceylonese Government's contention was unacceptable to the Government of India. The persons of

Indian origin, who were born in Sri Lanka and had lived there for a long time, would, as was held by Nehru, 'normally be Ceylon nationals'. 'Of course, Ceylon', Nehru further held, 'has the right and authority to decide about that matter, about its own nationals. So long as it does not accept them as nationals, they are nationals of no State, certainly not Indian nationals. So, they have become Stateless people living in Ceylon and hoping for Ceylonese nationality.'<sup>50</sup> In fact, the concept of Statelessness and the divergence of interpretation of paragraph 7 of the Nehru-Kotelawala Pact of January 1954 now came to form the crux of the Indo-Sri Lanka controversy. The Government of Sri Lanka recognized only two categories of nationals as envisaged in the Pact—nationals of Sri Lanka and those of India. The Indian Government, on the other hand, pleaded for a third category, namely Stateless persons in addition to the above two categories. The Government of Sri Lanka interpreted the aforesaid paragraph 7 to imply that Indian residents in Sri Lanka, who failed to qualify for Ceylonese citizenship, became *ipso facto* Indian nationals, without recognizing their status of Statelessness. The paragraph, in the circumstances, could preferably be modified or amended in keeping with the Indian view on the concept of Stateless persons before the Indian Government accepted the Pact. Paragraph 6, dealing with separate electoral register and consequently favouring the creation of second class citizens, also deserved modification or amendment before the formal acceptance of the Pact by the Government of India. Fortunately, however, the Pact, as it was drafted, was not implemented.

Sir John Kotelawala again met Nehru at a conference in New Delhi in October 1954. Their conference was held on

8th and 10th of the month. At the  
conclusion of their talks, the following  
Joint Statement was issued over the  
signatures of the two leaders<sup>51</sup>:

(1) The Conference discussed problems (relating to persons of Indian origin resident in Ceylon) 'fully and frankly and in a spirit of friendly and co-operative endeavour to overcome the difficulties that had arisen.'

(2) 'There was a basic difference of opinion between the two delegations in regard to the status of people of Indian

Nehru-Kotelawala  
Joint Statement  
of October 1954

origin in Ceylon. The Ceylon delegation stated that it has always been the position of Ceylon, as it still is, that such persons continue to be citizens or nationals of India unless and until they are accepted as Ceylon citizens. The Ceylon delegation could not, therefore, accept the position that any of these persons are Stateless. The Indian delegation stated that only those persons of Indian origin, who are already in possession of Indian passport and passes or who have been registered at the Indian High Commission under Article 8 of the Constitution of India, are Indian citizens. Other persons of Indian origin, who are not either Ceylon citizens or Indian citizens, are, therefore, at present Stateless. It was further stated that there could be no automatic conferment of Indian nationality on persons belonging to this category.'

(3) 'The Conference also considered the Indo-Ceylon Agreement of January 18, 1954 and the misunderstandings that had arisen in regard to its implementation. In that Agreement, it was provided that the registration of citizens under the Indian and Pakistani (Citizenship) Act would be expedited and every endeavour would be made to complete the disposal of pending applications within 2 years. It was further stated that in regard to persons not so registered it would be open to them to register themselves as Indian citizens, if they so chose, at the office of the Indian High Commissioner in Ceylon, in accordance with the provisions of Article 8 of the Constitution of India. It was further provided that the Government of India would offer administrative and similar facilities to all persons of Indian origin to register themselves as Indian citizens under the Constitution of India, if they so chose, and would also give publicity to the availability of such facilities.'

(4) 'While these two processes of registration have continued, the pace of such registration has been slow and certain difficulties have arisen. Complaints have been made by both sides about certain procedures which came in the way of full implementation of the Agreement and have created misunderstandings.'

(5) 'As there appeared to be a basic difference in the approach of the two countries to the problem of the status of persons of Indian origin resident in Ceylon, it was decided that the practical course was to recognize this difference and to proceed as rapidly as possible with the two processes of

registration as Ceylon citizens or as Indian citizens and thus to reduce the number of those persons who, at present, were not accepted either as Ceylon citizens or as Indian citizens. In this way, the number of such persons would be progressively reduced and would be more amenable to further consideration at a later stage. It was recognized by both Governments that it was undesirable to have a large group of persons who could not be accepted as citizens of either country. It was agreed, therefore, that these processes of registration should be expedited.'

(6) 'It was agreed that in regard to those persons who are not registered as Ceylon citizens, it was open to them to register themselves as Indian citizens, if they so chose. The Indian High Commissioner will entertain all applications made to him for registration as Indian citizens under Article 8 of the Constitution of India and will grant every facility for this purpose, subject to satisfying himself that the applicants have the prescribed qualifications under the Indian law. Applications will not be refused on the ground that an applicant had earlier applied to the authorities in Ceylon for registration as a citizen under the law of Ceylon.'

(7) 'The procedure for registration as citizens of Ceylon will be simplified as far as is possible, within the terms of the law, so as to complete, as far as may be practicable, the disposal of the applications within the time mentioned in the Indo-Ceylon Agreement of 1954. The Ceylon Government will examine, with a view to their withdrawal, any executive instructions of a restrictive nature, issued by the Ceylon authorities, which result in the rejection of such applications on purely technical grounds.'

(8) 'The Ceylon Government will resume the practice of issuing Identity Certificates for travel abroad to all persons of Indian origin resident in Ceylon whose applications for Ceylon citizenship are pending. The issue of such certificates will be governed by the rules and conditions which apply to Ceylon citizens. Exchange facilities for remittances of money out of Ceylon by such persons will be the same as those available to Ceylon citizens. The Indian High Commissioner will issue Identity Certificates for purposes of travel to persons of Indian origin whose applications for registration as Indian citizens are pending before him. The Indian authorities will

provide travel facilities to Indian citizens, and the Ceylon Government will give such persons remittance facilities, as before.'

(9) 'The Governments of the two countries earnestly hope that the steps mentioned above will, in the time contemplated, that is, two years, resolve to a substantial degree the problem of persons of Indian origin resident in Ceylon by their registration either as Ceylon citizens or as Indian citizens. At the end of this period and when the registrations under the Indian and Pakistani (Citizenship) Act are completed, the position will be reviewed with a view to deciding what further steps may be needed to deal with the problems of the residue that may be left. The Ceylon Government, for its part, states that it will, in addition, have to consider what steps may be necessary at that stage to safeguard the interests of its own citizens in regard to such matters as employment. It was stated on behalf of the Government of India that while every effort should be made to promote employment, as stated by the Ceylon Government, this should not involve, in their opinion, any coercion or victimization of those persons of Indian origin who may still remain unregistered either as Ceylon citizens or as Indian citizens. The measure of success attained in dealing with this problem will depend largely on a friendly and co-operative approach of all parties, and every effort should be made to encourage this friendly approach.'

(10) 'It was stated on behalf of the Ceylon Government that it intends, in the meanwhile, to introduce a scheme enabling persons of Indian origin, in employment in Ceylon, who may hereafter acquire Indian citizenship, to continue in such employment till the age of 55 years, when they may be required to leave the country, and that it has under consideration a scheme for the payment, under such conditions as may be prescribed, of gratuities to such persons, when they leave the country. Such persons will also be given social and medical benefits no less favourable than those which may be provided for workers of the same category who are Ceylon citizens.'

(11) 'The two governments will exchange information regarding lists of registration etc. from time to time to ensure effective co-operation in carrying out these arrangements.'

In the above-mentioned Joint Statement of 10 October 1954, the Governments of India and Sri Lanka sought to clarify their respective position regarding the future citizenship status of the Indians in Sri Lanka. Kotelawala, as the representative of the Ceylonese Government, reiterated Sri Lanka's stand that every Indian on her soil, not accepted as a Ceylonese citizen, would be treated as an Indian national. Nehru, as the representative of the Indian Government, clarified India's position that the Government of India would regard as Indian citizens only those persons who possessed Indian passports and passes or who had been registered at the office of the Indian High Commissioner in Sri Lanka under article 8 of the Indian Constitution and that others of Indian origin, admitted neither to Indian nor to Ceylonese citizenship, would be looked upon as Stateless persons. While India thus recognized the category of Stateless persons, Sri Lanka was unable to accept such a category. The Governments of the two countries agreed to appreciate such divergence of their viewpoints in regard to Statelessness and to expedite the two processes of registration of the persons of Indian origin either as Ceylonese citizens or as Indian nationals in the course of 2 years, thereby reducing the number of the so-called Stateless persons. The position regarding the registration of the residue would be jointly reviewed by the two governments 2 years after the date of the issue of the Joint Statement. The Government of Sri Lanka also agreed to encourage registration as Indian citizens by allowing persons of Indian origin, already in employment, to remain undisturbed in their service until the age of 55. The Government of Sri Lanka, at the same time, gave notice in advance to India that it would, in addition, have to consider necessary steps to safeguard the interests of its own nationals in regard to such matters as employment. While India appreciated such an attitude of Sri Lanka, she hoped that any such steps should not lead to the coercion or victimization of those persons of Indian origin who were still then unregistered either as Ceylonese citizens or as Indian citizens. The Ceylonese Government also made it clear that the persons, registered as Indian citizens, would be liable to go to India at an early date.

Sri Lanka appraised the Joint Statement as a noteworthy achievement of Sir John Kotelawala. Sir John himself referred

to the Joint Statement as an achievement on his part. 'I was congratulated', he subsequently wrote, 'on what was considered my greatest achievement since I became the Prime Minister...I still believe that Nehru and I laid the foundation for a final and friendly settlement'.<sup>52</sup> Recounting his Delhi talks, he also said on the floor of the House of Representatives: 'At the discussions between the Prime Minister of India and myself, we were able to clarify several matters which were in doubt, so that the picture is now made clear. We were also able to remove a certain amount of tension that had latterly begun to arise between both sides, so that work on both sides now becomes freer and more unhampered. I feel confident that these talks between the two Prime Ministers have effectively solved our more serious problems and have paved the way to a smoother disposal of the Indo-Ceylon Question'.<sup>53</sup>

The Nehru-Kotelawala Pact and the Joint Statement of 1954 could not, however, lead to as smooth a settlement of the Indo-Sri Lanka Question as was optimistically hoped for by the Ceylonese Prime Minister. The Joint Statement of 10 October highlighted a fundamental difference between the two governments, namely that Sri Lanka would not recognize Stateless persons while India would. The fate of the Stateless persons awaited to be satisfactorily decided. The Indo-Sri Lanka problem was now compounded of three salient issues—registration, repatriation and statelessness.

Under the Indian and Pakistani (Citizenship) Act of 1949, the Government of Sri Lanka prescribed a two-year time-limit for the Indian residents in the country to apply for

Question of  
Registration  
under the Act  
of 1949

Ceylonese citizenship. The two-year deadline was to expire on 5 August 1951. No such last date for submitting applications for Indian citizenship was, however, prescribed by the Government of India. Till

5 August 1951, 2,37,034 applications involving nearly 8 lakhs of persons of Indian origin were submitted to the Commissioner for Registration of the Government of Sri Lanka.<sup>54</sup> By 31 December 1951, 4,498 applications covering 15,569 persons were granted.<sup>55</sup> But from August 1951 till the end of 1953, 7,687 applications involving 26,359 persons had been allowed, while 10,319 applications had been rejected.<sup>56</sup> In the 11 months

from January to November 1954, 6,636 persons of Indian origin who applied for Ceylonese citizenship were registered as the citizens of Sri Lanka and the cases of 41,548 persons were rejected.<sup>57</sup> From August 1951 till 30 November 1954, therefore, 32,995 persons (26,359 plus 6,636) were accepted as the citizens of Sri Lanka. During the same period, the cases of 97,344 persons were rejected<sup>58</sup>, while the cases 1,30,339 persons (32,995 accepted plus 97,344 disallowed) were disposed of.<sup>59</sup> Until November 1955, 37,304 persons were registered as the citizens of Sri Lanka and 59,464 applications involving 1,91,929 persons were rejected.<sup>60</sup> Thus the cases of 2,29,233 persons (37,304 accepted plus 1,91,929 rejected) were disposed of till November 1955. Until the end of August 1960, 1,20,294 persons of Indian origin were admitted as Ceylonese citizens,<sup>61</sup> while up to the end of February 1962, 1,32,312 persons of Indian descent were registered as the citizens of Sri Lanka.<sup>62</sup> In the course of 11 years (1951-1962), therefore, only 1,32,312 persons of Indian origin were admitted to Ceylonese citizenship. This meant that a large majority of the Indian labourers still remained unregistered as the citizens of Sri Lanka and consequently stood deprived of their right to claim employment under the Ceylonese Government. Again, according to the Joint Statement of October 1954, the Ceylonese Government decided to treat every person of Indian origin, not admitted to the citizenship of Sri Lanka, as an Indian national, which implied that all the Indian labourers, not registered as Ceylonese citizens, would be regarded as Indian nationals. But the Government of India registered only 35,411 persons as Indian citizens up to December 1960.<sup>63</sup> This resulted in the emergence of a very large body of Stateless persons who were neither Ceylonese nor Indian citizens. It was estimated by the two governments in 1964 that 9,75,000 persons of Indian origin in Sri Lanka were still without registration either as Ceylonese or as Indian citizens and were, therefore, Stateless.

It was not the policy of the Government of Sri Lanka to allow the permanent settlement of the entire body of the Indian estate population on the Island. Economic and political

**Question of Repatriation** considerations prevailed upon the Government to reduce the strength of the Indian estate population to the minimum requirement of the country through repatriation, though wholesale repatriation was never

thought of, because such a course would ruin the country's economy. There was, of course, no legal provision for repatriation of the Indian labourers but those, who wished to return to South India permanently, were, in many cases, assisted by their employers as also by the Ceylon Labour Commission. It had been, however, the experience of the Ceylonese Government that few labourers left Sri Lanka with the intention of remaining in India permanently. In most cases, they paid short visits to their native villages, returning to the estates on which they had been employed before. The Government of Sri Lanka, in such circumstances, made out some special provisions for their repatriation. Section 22 of Ordinance No. 1 of 1928, for instance, laid down that, if an assisted labourer wanted to return to India within one year of his arrival at Sri Lanka on ground of health or unsuitability of work or unjust treatment at the hands of his employer and if the Indian Agent was satisfied that the return of such a labourer was desirable, he was to be repatriated free of cost to the place of recruitment in South India. The cost would be charged on the Immigration Fund. The Government of Sri Lanka also agreed, at the suggestion of the Indian Government, to repatriate indigent Indian immigrants or those who, by reason of disease or infirmity, were no longer capable of maintaining themselves, even though they spent more than one year on the Island. This scheme first came into operation on 1 March 1924. The number of Indians, repatriated under the above two schemes from 1928 till 1941, is given below<sup>64</sup>:

Year	No. of repatriates
1928	3,491
1929	3,183
1930	3,279
1931	5,062
1932	7,307
1933	11,583
1934	2,304
1935	6,252
1936	4,494
1937	5,064

Year	No. of repatriates
1939	2,975
1940	3,528
1941	3,801

In addition to the above two special schemes of repatriation followed in normal times, another special scheme was introduced towards the close of the year 1930 to meet the depression in rubber industry and the consequent unemployment among labourers. In 1932, 6,744 labourers were repatriated under this scheme as against 10,645 repatriated in 1931.<sup>65</sup> Towards the close of 1932, the Ceylonese Government adopted another special scheme for the repatriation of tea estate labourers who were thrown out of employment in the wake of the slump in tea industry. Under this scheme, 257 labourers were repatriated between August and December 1932, while in 1933 the repatriates numbered 26,883.<sup>66</sup> A more liberal scheme of repatriation followed under which a labourer, discharged from the estate duty or dissatisfied with the reduced scale of wages, would be entitled to be sent back to India.<sup>67</sup> Repatriation was thus resorted to by the Government of Sri Lanka to eliminate surplus or unemployed labourers.

Repatriation became a more effective means to eliminate or reduce Indian population in Sri Lanka after the enactment of 1949, specially after the Joint Statement of October 1954. The Government of Sri Lanka insisted on the repatriation of the persons of Indian origin who would not be enrolled as Ceylonese citizens. Approximately 1,23,500 Indians were, therefore, returned from Sri Lanka between 12 September 1954 and 30 November 1965<sup>68</sup>. 5,620 Indian residents were repatriated to India between 1 January 1966 and 31 January 1967.<sup>69</sup> The repatriation of Indian nationals under the Agreement of 1964 did not commence before 1968.

Registration and repatriation besides, Statelessness formed another important aspect of the Indo-Sri Lanka problem in

**Question of Statelessness** the years following the enactment of 1949. The Ceylonese Government did not recognize the category of Stateless persons who were regarded by it as Indian nationals. But the Indian Government recognized Stateless persons, they being neither Indian

nor Ceylonese citizens, as aforementioned. It was, no doubt, derogatory to the so-called Stateless persons to insist on their staying in Sri Lanka, without being owned by the country as her citizens. Statelessness, therefore, posed a serious problem to both the governments, particularly to the Government of India, to resolve. Statelessness created a feeling of insecurity—social, economic and political—among the Indians in Sri Lanka. To be Stateless meant denial to the Indian residents of employment opportunities in the public, private and semi-government sectors, because citizenship was the essential pre-requisite for such employments. The Ceylonese employers were prohibited from recruiting non-nationals as their employees. Such a policy had the effect of closing all avenues of employment to the Stateless persons, with the exception of employment in plantation work. To be Stateless meant further that the Indian residents being non-citizens would be denied trading facilities as also the facilities of agricultural development programmes and of the community and rural development projects. Stateless persons were also debarred from receiving grants of State land and from purchasing immovable State property. Above all, Statelessness implied ineligibility for exercising the right of franchise. The Ceylonese citizenship by registration, granted to a minority of the so-called Stateless persons, carried with it some sort of discrimination against the persons concerned. The Ceylonese Government found it difficult to treat them on a footing of political and economic equality with the citizens by descent. The problem of Statelessness naturally, therefore, demanded an early and satisfactory settlement.

The Nehru-Kotelawala Pact and the Joint Statement of 1954, far from settling the Indo-Sri Lanka problem, complicated it by focussing the issue of Stateless persons. Moreover, though it was agreed by the Ceylonese Delegation at the October Conference in New Delhi in 1954 that the registration of all Indian residents applying for Ceylonese citizenship would be completed within a period of 2 years, that is, by 1956, in actual practice, the target remained a far cry even by 1962-63, as has been indicated above. S. W. R. D. Bandaranaike, who became Prime Minister in 1956, took up the position that the process of registering the Indian residents, who had already applied for Ceylonese citizenship, should first be completed before commencing the negotiations on what should be done

with the rest. This process could not, however, be completed during his lifetime which was cut short by the hand of an assassin in the month of September 1959. In the general election of July 1960, Mrs. Sirimavo Bandaranaike led her Sri Lanka Freedom Party to victory and formed the government in the same year. It was then estimated that as many as 9,75,000 persons<sup>70</sup> of Indian origin were still without registration either as Ceylonese or as Indian citizens and were, therefore, Stateless. It was left to Mrs. Bandaranaike to confer with the then Indian Prime Minister, Lal Bahadur Shastri, on the fate of that huge body of Stateless persons during her visit to New Delhi from 22 to 29 October 1964. A Joint Communiqué was issued on 30 October at the conclusion of their talks. This Communiqué is better known as the Shastri-Bandaranaike Agreement of 1964,<sup>71</sup> which marked a fresh approach to the solution of the Indo-Sri Lanka problem.

The main terms of the Agreement were as follows : (1) All persons of Indian origin in Sri Lanka who had not been recognized either as citizens of Sri Lanka or as citizens of

Shastri-Sirimavo  
Bandaranaike  
Agreement of  
1964

India should become citizens either of Sri Lanka or of India. (2) The total number of such persons, as on 30 October 1964, was approximately 9,75,000 exclusive of illicit immigrants and Indian passport

holders. Out of 9,75,000 persons, 3,00,000 together with the natural increase in that number, would be granted the citizenship of Sri Lanka, and 5,25,000, together with the natural increase in that number, would be admitted to Indian citizenship. (4) The status and future of the remaining 1,50,000 Stateless persons would be the subject-matter of a separate agreement between the two governments. (5) The Government of India would accept the repatriation of the persons to be repatriated within a period of 15 years from the date of the Agreement, according to a programme as evenly phased as possible. (6) The admission of the 3,00,000 persons to Ceylonese citizenship and the repatriation of the 5,25,000 persons to India should both be phased over a period of 15 years, and the two processes should keep pace with each other in proportion to the relative numbers to be granted Ceylonese citizenship and to be repatriated to India respectively. (7) The Government of Sri Lanka would grant to the

persons to be repatriated to India during the period of their residence in Sri Lanka, the same facilities as are enjoyed by the citizens of other States (except the facilities for remittances) and normal facilities for their continued residence, including free visas. The Government of Sri Lanka also agreed that such of these persons as were gainfully employed on the date of the Agreement would continue in their employment until the date of their repatriation in accordance with the requirements of the phased programme or until they attained the age of 55 years, whichever was earlier. (8) Subject to the Exchange Control Regulations for the time being in force, which would not be discriminatory against the persons to be repatriated to India, the Government of Sri Lanka agreed to permit these persons to transfer, at the time of their final departure for India, all their assets including their Provident Fund and gratuity amounts. The Government of Sri Lanka also agreed that the maximum amount of assets which any family should be permitted to transfer to India would not be reduced to less than Rs. 4,000. (9) Two registers would be prepared as early as possible, one containing the names of persons to be granted Ceylonese citizenship and the other containing the names of persons to be repatriated to India. The completion of these two registers, however, would not be a condition precedent to the commencement of the grant of Ceylonese citizenship and the process of repatriation. (10) The Agreement would come into force with effect from its date, and the officials of the two governments should meet, as soon as possible, to establish a joint machinery and to formulate the appropriate procedures for the implementation of the Agreement.

The governments of both the countries expressed satisfaction with the Agreement of 1964, which was hailed by them as marking a great advance over the previous negotiations and as bringing the 'much vexed' Indo-Sri Lanka problem within the range of final settlement. The optimism of the Indian and Ceylonese governments could not, however, be shared by the press and politicians in India. The Indian press, for instance, viewed the Agreement with mixed feelings. In its issue of 31 October 1964, the day following the acceptance of the Agreement, **The Hindu** flashed the following comments on the nature of the settlement effected: 'From the

Indian point of view, the only merit of the Sastri Agreement is that the repatriation of those who will opt for Indian citizenship will be spread over 15 years and that both the grant of Ceylon citizenship and the repatriation process will be evenly phased. This would mean that roughly 20,000 among the Stateless will be registered as Ceylon citizens annually, while 35,000 of them will have to be received in India. The basis on which persons eligible for citizenship or for repatriation will be chosen has not been indicated but we presume that no one who wishes to continue in Ceylon will be compelled to return to this country against his will. The choice of repatriates will apparently be based upon factors such as the duration of stay on the Island and the imminence or otherwise of retirement from service. Ceylon's offer to permit repatriates to transfer all their assets including Provident Fund and gratuity benefits on a non-discriminatory basis may enable them to rehabilitate themselves here, without our government having to bear too heavy a burden. The prospect of a gradual uprooting of over half a million people from their established moorings, because of the exigencies of politics and international relations, is by no means pleasing. The Government of India may be accused by its critics at home and abroad of weakness and indecision in yielding to pressures and succumbing to a policy of appeasement. As there are still large numbers of people of Indian origin in many erstwhile British colonies all the way across the globe from Trinidad in the Caribbean to Fiji in the Pacific, the Government must take its stand on policy which insists that the just rights of these people, wherever they may be, are safeguarded. The countries to which our countrymen migrated either voluntarily or as indentured labour and which they have adopted as their own for many decades should not be allowed to think that the people of Indian origin are an expendable part of their population who can be thrown out like sucked oranges. A clear and firm policy with regard to the people of Indian origin abroad has become urgent in view of the latest agreement with Ceylon.

**The Times of India** of 31 October 1964 appraised the Agreement as a 'happy solution': 'Mr. Sastri and Mrs. Bandaranaike can take just pride in having at last solved a problem which had defied solution for 17 years. The Agreement negotiated by them will remove the pall of anxiety from the minds of

almost a million persons of Indian origin in Ceylon who have been uncertain about their future for so long. Most of them can now hope to obtain either Indian or Ceylonese citizenship over the next 15 years. The Agreement will also do away with the one source of tension between the two otherwise friendly neighbours. This happy outcome would not have been possible but for the refusal of the two Prime Ministers to admit defeat or give up the search for a compromise even when negotiations came to a breaking point...If India has made a generous gesture in undertaking to repatriate 5,25,000 persons, so has Ceylon in agreeing to give citizenship rights to 3,00,000 persons. The compromise reached by them must be judged not in the context of any principle of absolute justice but against the background of the political pressures operating in Ceylon and the limited job opportunities on the Island and India's ultimate moral obligation to people who had never quite broken their links with the country of their origin...If the two processes are to keep pace with each other, as is provided in the Agreement, 100 persons will have to be granted Indian citizenship and 60, Ceylon citizenship almost every day over the next 15 years. As the two processes are to be spread over a long period, hundreds of thousands of persons will have to suffer the great hardship of being stateless for many years to come. But they can take some comfort in the provisions of the Agreement which assure them that they will be allowed to continue in their jobs until the date of repatriation and that, at the time of their final departure for India, they will be allowed to take with them all their assets including Provident Fund and gratuity.'

**The Hindusthan Times** of 9 November 1964 regarded the Agreement as posing a problem for Madras. 'As most of the 5.25 lakh people to be repatriated to India are Tamilians, the burden of rehabilitating them will fall mainly on the Madras Government.' The most unfortunate part of the affair is that these people will not be coming to a country where better opportunities are open to them but leaving a country in which they are gainfully employed. Since most of these workers are at present employed in Ceylon plantation, the possibility of absorbing them in the plantation industry in Madras and Kerala is worth investigating. The Union Labour Minister, Mr. Sanjivayya, has stated recently that employment in coffee

and rubber plantation has been going up recently. In the tea industry, the position appears to be different. Here, though neither the area under tea nor production has gone down, the number of workers has been steadily decreasing. One possible explanation is the increase in the workload of labour. The Plantation Industrial Committee has pointed out that the number of workers has not increased in proportion to the increase in production and acreage.'

**The Patriot** in its issue of 24 November 1964 referred to the Tamil Federal Party's opposition to the Agreement. The Party condemned it as unacceptable, as one injurious to the Tamil-speaking people. It held that 'the Ceylon Government was actuated by racialism to reduce the strength of the Tamil-speaking people and ultimately to eliminate the Tamil-speaking element from the body politic of Ceylon.'

Like the Indian press, the Indian politicians also looked upon the Agreement with a critical eye. While Sri Ranga, M. P., called it 'a shameful agreement',<sup>72</sup> M. R. Masani, M. P., described it as 'unsound in principle' and as a 'violation of basic human rights'.<sup>73</sup> Another M. P., Manoharan, referred to the Agreement as a 'criminal document'.<sup>74</sup> Criticizing it, he made a statement in the House of People : "...We have accepted the figure of 5,25,000...What is the basis on which we are going to register and reach this figure of 5,25,000 ? What are the principles which will determine whether a man is an Indian citizen or a Ceylon citizen ?...I say, the Government of Ceylon is committed openly to sending away all the Indians from the soil of Ceylon, because I would like to remind the House of what the late Mr. Bandaranaike once said in the Parliament of Ceylon, namely 'I shall die a happy man, when the last Indian leaves this shore.' It is true that we have accepted 5,25,000. It is equally true that they have accepted 3 lakhs of people but the proof of the pudding is in the eating. It is going to take Ceylon 15 years more to take these people as Ceylon citizens. Are all these years they are already in Ceylon not enough to get citizenship rights ? Ceylon can implement this arrangement in such a way that these figures can become a mockery. For instance, it can include among the 5.25 lakhs those who want to stay in Ceylon and include among the 3 lakhs those who do not wish to stay in Ceylon.

The result will be that 5.25 lakhs will come away under pressure and the bulk of the 3 lakhs will come away voluntarily. What is the meaning of this 5.25 lakhs and 3 lakhs ?...We are completely fooled to go into this agreement , and we have proved ourselves to be little children in diplomacy. I take my hat off—to use an English expression—to the Prime Minister of Ceylon for her diplomatic skill. She is the victor and Shastri is the vanquished...Did the Government of India do anything to ascertain the wishes of hundreds of thousands of innocent people who had known no other place except their tea estate ? Torn from their roots, their language, culture, climate and food, they are going to be thrown into Dandakaranya, Rajasthan and other places. What harm have these people done to merit this punishment at the hands of this Government ?"<sup>75</sup>

No less critical were the political leaders in Sri Lanka. K. M. P. Rajaratna, leader of the Jatika Vimukthi Peramuna (an extremist Sinhalese political party), alleged in a telegram to Mrs. Bandaranaike on 29 October 1964 that there were 16,00,000 Indians in Sri Lanka and demanded that they should all be repatriated.<sup>76</sup> On the other hand, S. J. V. Chelvanayakam, leader of the Tamil Federal Party, regretted that 5,25,000 persons, who were born in Sri Lanka and who had no homes in India, were going to be sent to India without their consent.<sup>77</sup> He also observed that it was 'an unprecedented move in international relations for half a million people to be treated as pawns in the game of power politics.'<sup>78</sup> The President of the Ceylon Workers' Congress, S. Thondaman, objected to the Agreement of 1964 on the following grounds : Firstly, the Agreement was concluded without any prior consultation with the Indian residents' chosen representatives including Mr. Thondaman himself, who was then the Appointed Member of the Parliament of Sri Lanka. In fact, negotiations had been carried on at his back. He was not a party to it.<sup>79</sup> Secondly, the future of the Indian estate labourers was sought to be settled 'not on the basis that they are human beings, entitled to be heard in respect of matters which vitally affect them, but as merchandise to be divided and disposed of in such a manner as the two Governments desire.'<sup>80</sup>

On her return to Colombo after accepting the Agreement, Mrs. Bandaranaike made an official statement that those State-

less persons, who would be granted the citizenship of Sri Lanka, would be placed on a separate electoral roll and not on the general electoral roll of the country,<sup>81</sup> meaning thereby that such citizens would be treated as second class citizens. This was, however, not in keeping with the spirit of the Agreement. A letter, expressive of Shastriji's deep concern at the above statement of Mrs. Bandaranaike, was sent to her through the then Indian High Commissioner at Colombo, B. K. Kapur. Shastriji also wrote in the letter that the Indian Government had assumed that all those, admitted to Ceylonese citizenship, would become 'full-fledged Ceylon citizens with all rights and privileges flowing from such citizenship.' The proposal for a separate electoral roll, however, died a natural death by May 1966, when the Government of Sri Lanka decided not to proceed with it any further.

As envisaged in clause 10 of the Agreement of 1964, officials of the two governments met at Colombo from 15 to 19 December 1964 to discuss the issue relating to the establishment of a joint machinery and to formulate appropriate procedures for the implementation of the Agreement. The Indian delegation was led by C.S. Jha, then Commonwealth Secretary to the Ministry of External Affairs, while the Ceylonese delegation was headed by N. Q. Dias, Permanent Secretary, Ministry of Defence and External Affairs, Sri Lanka.<sup>82</sup> In the course of the discussion, Jha referred to the Ceylonese Government's proposal to place the Ceylonese citizens of Indian origin on a separate electoral register. He pointed out to the Ceylonese delegation that in the view of the Government of India this was a vital matter and that it was not possible for it to justify the Agreement before the public opinion, if the persons of Indian origin, who remained in Sri Lanka and were accepted as Ceylonese citizens, were relegated to the status of only second class or inferior citizens. Referring to the Ceylonese Government's policy of the Ceylonization of employment opportunities, Jha said that, though the Government of India appreciated such a policy, it was nevertheless anxious about those persons, among the potential citizens of India, who were not in employment on the date of the Agreement. Jha expressed deep concern about what would happen to them during those years when they would have to await their turn for repatriation to India. It would be most unfortunate, he

held, if these people were to stay in Sri Lanka without any employment and consequently, without any means of livelihood during such period. He, therefore, suggested that such people, except their right to franchise, should be treated on a footing of equality with the rest and that their existing right to employment should not be taken away from them. As regards compulsory repatriation, Jha stated that at no time had this principle as such been discussed during the Delhi talks of October 1964 and that India's Minister of Foreign Affairs had stated in the Indian Parliament that wholesale compulsory repatriation was out of the question. The smooth implementation of the Agreement could be best ensured on the basis of voluntary applications and of the co-operation of the persons concerned. If the question of compulsory repatriation were highlighted, the chances of smooth implementation of the Agreement might be prejudiced from the beginning.

Mr. Dias explained the views of his government on the nationalization of employment in Sri Lanka. He said that the Ceylonese had hitherto few opportunities for employment on estates and that it was necessary for the Government of Sri Lanka to proceed with legislative measures for the Ceylonization of employment. The Government of Sri Lanka would, of course, consider the suggestion made by the Indian delegation. The guarantee in respect of continued employment, given in clause 7 of the Agreement of 1964, would be fully honoured. Dias agreed that repatriation should, as far as possible, be effected on a voluntary basis but that compulsory repatriation was the only alternative, if a sufficient number of persons did not volunteer for repatriation.

At the end of their discussions, the delegations of the two Governments reached the following Agreement<sup>83</sup> to establish a joint machinery and to formulate procedures for the implementation of the Agreement of 1964:

As regards the joint machinery, it was agreed that (1) a Joint Committee, composed of one representative of each Government, would be set up in Colombo to ensure the proper implementation of the Indo-Ceylon Agreement of 1964; (2) both the Governments would provide facilities to the Joint Committee to consult relevant documents and data other than those of a classified or secret nature, so as to enable it to carry

out its functions; (3) the Government of Sri Lanka would extend to the Joint Committee necessary assistance

Agreement to  
establish joint  
machinery to  
implement the  
Agreement of  
1964

and facilities to enable it to discharge its functions under the Agreement; (4) if the Committee considered it necessary to visit India for the performance of its functions, the Government of India would provide necessary assistance for that purpose; (5) the Committee would submit

to the Governments of the two countries an annual report on its work and also such other reports as it might think necessary to submit; (6) the Commonwealth Secretary to the Ministry of External Affairs, Government of India, and the Permanent Secretary to the Ministry of Defence and External Affairs, Government of Sri Lanka, would meet at least twice a year, alternately in New Delhi and Colombo, for the purpose of reviewing the progress of the implementation of the Agreement and the progress of the work of the Committee; (7) meetings at ministerial level would be held from time to time.

As regards the procedures for the implementation of the Agreement, it was agreed that (1) both the Governments would invite applications from the persons, covered by the Agreement, for the purpose of granting citizenship of either country; (2) repatriation to India should, as far as possible,

Agreement to  
formulate Proce-  
dures to imple-  
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ment of 1964

be on a voluntary basis but, if in any year the number of volunteers should fall short of the applicable number for repatriation in that year, repatriation would be effected in such a manner as would secure the attainment of the objective of clause 3, read

with clause 5 of the Agreement. The obvious implication of this provision is that compulsory repatriation would be resorted to, if a sufficient number of Indians did not volunteer for repatriation; (3) both Governments should complete the preparation of two registers by 31 December 1966, one for the persons to whom Ceylonese citizenship would be granted and another for the persons to be granted Indian citizenship and to be repatriated to India; (4) the Ceylonese Government, in its public notices inviting applications, would indicate the various factors to be taken into consideration for the conferment of

Ceylonese citizenship such as the following: (i) whether a person had applied for, or had been included in an application for, Ceylonese citizenship, under the Indian and Pakistani Residents (Citizenship) Act of 1949, but had not been accepted for the citizenship, (ii) whether a person was born in Sri Lanka, (iii) what was the duration of the applicant's residence in Sri Lanka and (iv) whether the applicant was the member of a family some of whose members were the citizens of Sri Lanka by descent or by registration; (5) the approximate number of persons of Indian origin to be repatriated to India annually (viz., 35,000) and the approximate number to be admitted to Ceylonese citizenship each year (viz., 20,000) would not be treated as the maximum figures for the above purposes; it would be open to both the governments to agree, in the case of India, to the repatriation of, and, in the case of Sri Lanka, to the grant of citizenship to, the number of persons in excess of the above figures. In case the target was not reached in any year, every attempt would be made to make up the short-fall in the succeeding year; in the initial years of the implementation of the Agreement, these numbers might be considerably exceeded; if in any year the number repatriated to India was higher than the number which applied for repatriation, the Government of Sri Lanka would grant citizenship to a proportionately larger number, and the provisions of the Agreement regarding the repatriation of assets would be equally applicable to the increased number of repatriates; (6) if at any time during the currency of the Agreement the Government of Sri Lanka made Exchange Control Regulations under which the maximum permissible limit for the repatriation of assets was fixed at a figure lower than Rs. 4,000, the persons covered by the Agreement would be permitted, irrespective of such regulations, to repatriate their assets up to Rs. 4,000; (7) the Indian High Commission in Sri Lanka would prepare three lists—a list of persons who have applied for Indian citizenship under the Agreement, a list of those persons who have been accepted for Indian citizenship and are awaiting repatriation and a list of those persons who have been granted Indian citizenship and have been repatriated to India; the Ceylonese Government would similarly prepare three lists—a list of persons who have applied for Ceylonese citizenship under the Agreement, a list of those persons who have been accepted for Ceylonese citizen-

ship and a list of those persons who have been granted Ceylonese citizenship. These lists would be exchanged between the two governments by the 28th of each month—the list of the current month containing the required information of the preceding month ; (8) both governments should satisfy themselves that no holders of Indian passports, issued prior to 30 October 1964, and no illicit immigrants are counted in arriving at the agreed numbers under the provisions of the Agreement ; the Indian High Commissioner would give a list of the holders of Indian passports issued during the period from 1 November 1949 to 30 October 1964 ; (9) both for the purpose of repatriation to India and for the grant of Ceylonese citizenship, a family unit should be considered as a whole, such a family unit consisting of the husband, wife, children under 21, daughters of any age, unmarried at the time of the repatriation of the parents ; (10) in the case of the persons to be repatriated from areas outside estates, the Indian delegation would furnish full information regarding the addresses at which such persons were enumerated in the Shareholder's lists for the issue of rice ration-books from 1949 onwards, and, in respect of the persons to be repatriated from estate areas, the Indian delegation should furnish information regarding the full names of such persons and the addresses of the estates where they were resident or where they were employed ; (11) the Indian delegation agreed to furnish the Government of Sri Lanka with information regarding any scheme of resettlement and rehabilitation, instituted for the benefit of those repatriated under the Agreement of 1964.

The Joint Committee for the implementation of the Agreement held its first meeting on 1 July 1965. The Ceylonese Government was represented by W. T. Jayasinghe, Controller of Immigration and Emigration, and T. B. M. Ekanayake, Assistant Secretary, Ministry of Defence and External Affairs, while the Indian Government was represented by K. C. Nair, Deputy High Commissioner in Sri Lanka, and N. P. Alexander, First Secretary to the Indian High Commission. Meanwhile, the General Elections of March 1965 resulted in the fall of the Sirimavo Bandaranaike ministry and the formation of a new ministry led by D. Senanayake on 25 March. Following the formation of the Senanayake Government, the Governor-General announced in his speech from the Throne at the open-

ing of the new Parliament on 9 April that negotiations with the Government of India would be resumed with a view to removing difficulties which had arisen in regard to the implementation of the Agreement of 1964. On 23 April, Senanayake told the House of Representatives that those difficulties related to the determination of the citizenship status of 1,50,000 persons whose future was left to be decided by a separate agreement, to the question of a separate electoral register, the principle of compulsory repatriation and to the Ceylonese Government's Control of Employment Bill. Although no such negotiations took place, the Ceylonese Government decided in May 1966 not to proceed with the proposal for a separate electoral register.<sup>84</sup>

On 6 December 1966, the Senanayake Government introduced before the House of Representatives the Indo-Ceylon

Indo-Ceylon Agreement Implementation Bill, the main provisions of which were as follows<sup>85</sup>:

Agreement Implementation Act, 1967

(1) Every person to whom the Agreement (of 1964) applied should apply for Ceylonese citizenship but the grant of citizenship to such persons would be at the 'absolute discretion' of the Minister concerned. Persons granted Ceylonese citizenship under the Agreement would have the status of citizens of Sri Lanka by registration.

(2) Persons wishing to become Indian citizens would be requested to apply to the Indian High Commission for registration. Such persons soon after their registration would be issued Temporary Residence Permits for a fixed period at the end of which they would be liable to repatriation.

(3) Four persons would be granted Ceylonese citizenship for every seven admitted to Indian citizenship.

(4) The Ceylonese Government was empowered to detain or deport, under the Immigrants and Emigrants Act, any person to whom the Agreement applied, even if he had applied for Ceylonese citizenship.

(5) Any decision of the Minister under the provisions of the Act might not be questioned in a court of law.

(6) The Government of Sri Lanka reserved the right to compel an aircraft or ship to carry persons liable to be repatriated. Any refusal by the Captain of such an aircraft or ship would be punishable by a fine varying in amount from Rs. 200 to Rs. 5,000 and by imprisonment for a term ranging between 3 months and 5 years.

In the course of the debate on the Bill during its first and

second readings, opposition members like Mrs. Bandaranaike, R. G. Senanayake and Mahanayake Thero Malwatte criticized it from different points of view. The Bill, it was contended by them, did not specify the maximum number of persons on whom citizenship was to be conferred. The Government of Sri Lanka, it was also argued by them, should not proceed with the legislation for implementing the Agreement until India had taken steps to legislate, providing for the acceptance of 5,25,000 repatriates. The Bill was further criticized on the ground that it marked a departure from the Agreement of 1964 by linking the number of persons to be granted Ceylonese citizenship to the number to be admitted to Indian citizenship, instead of to the number to be repatriated to India.

Opposition notwithstanding, the Agreement Bill passed the third reading in the House of Representatives and acquired the validity of law on 5 June 1967. While winding up the debate on the Agreement Bill in the House of Representatives, Senanayake justified its deviation from the Agreement of 1964. While admitting that the Agreement Bill was a departure from the Agreement of 1964 to the extent that the grant of Ceylonese citizenship was tied to the grant of Indian citizenship and not to the actual repatriation of those admitted as Indian citizens, he said that 'this departure had become necessary because he did not wish to keep those, whom the Ceylon Government was willing to admit to Ceylon citizenship, waiting for a period of 15 years, pending repatriation of a proportionate number to India'. His desire was 'to end the state of statelessness of those persons whom the Ceylon Government was willing to admit to the civic structure of the country.' He further held that 'Ceylon's foreign exchange situation might not permit release of exchange for large numbers who might opt to leave for India in a body at one time. It was necessary to spread repatriation over a period of 15 years and, in the meantime, he did not wish to keep the would-be Ceylonese citizens in a state of suspense till repatriation was effected. That was why he had included provision for the grant of Ceylon citizenship immediately on conferment of Indian citizenship on persons to be repatriated.'<sup>86</sup> The point is that, while under the Shastri-Bandaranaike Agreement the Ceylonese citizenship was to be granted in proportion to the number of persons (recognized as Indian citizens) actually repatriated to India, under the

Agreement Act of 1967 the Ceylonese citizenship was to be conferred in proportion to the number of persons registered as Indian citizens with the High Commission in Sri Lanka. The ratio fixed for this purpose was 7:4. Welcoming the modification introduced by the Agreement Act of 1967, Thondaman said that now the grant of Ceylonese citizenship to Stateless persons would not await the repatriation of those to whom Indian citizenship was granted and that the grant of Indian and Ceylonese citizenship would be simultaneous in the proportion of 7:4. He gave credit to D. Senanayake for having had the courage to stand firm against pressure from the opposition both within and outside Parliament and to give practical recognition to the need to end the state of Statelessness at the shortest possible time.<sup>87</sup>

Following the Indo-Ceylon Agreement (Implementation) Act of 1967, Mrs. Indira Gandhi paid an official visit to Sri Lanka, at the invitation of Senanayake, from 18 to 21

September of the year. At the end of the visit, she issued a communique jointly with Senanayake on the Indo-Ceylon Agreement of 1964. In the joint communique, the two leaders expressed their satisfaction at the preparatory steps taken by both governments for the implementation of the Agreement of 1964. They

discussed the question of the remaining 1,50,000 persons, mentioned in clause 4 of the Agreement and decided to take up the issue conveniently as soon as some progress had been made on both sides in the actual implementation of the Agreement. Both the leaders reaffirmed their determination to adopt all further measures necessary to ensure the smooth and steady implementation of the Agreement in a spirit of mutual co-operation and agreed to examine further and resolve any outstanding matters in this regard at the appropriate levels.<sup>88</sup>

During her visit to Sri Lanka, Mrs. Gandhi was given a reception by the Indo-Ceylon Association at Colombo on 18 September. In the course of her address at the reception, she advised the persons of Indian origin, who were either actual or potential citizens of Sri Lanka, to identify themselves with the country and to be loyal to it. She said: 'I would urge those of you, who are of Indian origin and have already become citizens of Ceylon, and those who are yet to acquire Ceylon

Mrs. Indira  
Gandhi's visit to  
Sri Lanka in  
September 1967

citizenship, to identify yourselves with Ceylon and to give it your full loyalty. I am sure that the Government of Ceylon on its part is anxious to create an environment which will give you confidence, justice and a sense of belonging and that opportunities will be provided for you to participate in Ceylon's development. Those of you, who are Indian nationals and are working here in various capacities, should also think and act in the interest of Ceylon's development and welfare. Ceylon is a respected sister nation for which we have great affection, regard and friendship. Ceylon and India share a heritage in the evolution of which both countries have made significant contribution.<sup>89</sup>

On the implementation of the Shastri-Sirimavo Bandaranaike Agreement of 1964, as modified by the Indo-Ceylon Agreement (Implementation) Act of 1967, now hinged the settlement of the question of citizenship status of 8,75,000 Stateless persons of Indian origin—3,00,000 of whom to be granted Ceylonese citizenship and the remaining 5,25,000 to be recognized as Indian citizens and to be repatriated to India.

It was on 24 April 1968<sup>90</sup> that the Government of Sri Lanka and the Indian High Commission at Colombo issued public notices, calling for applications for admission to the citizenship of the respective countries from among the persons of Indian origin, covered by the Agreement of 1964. A time-limit of 2 years ending on 30 April 1970 was fixed within which applications were to be entertained. The call for applications was responded to profusely. According to the estimate of the Ceylon Workers' Congress, about 4,00,000 persons applied for Indian citizenship and about 7,00,000 persons, for the citizenship of Sri Lanka.<sup>91</sup> Commenting on the above figures, S. Thondaman wrote to the then President of India, V. V. Giri, on 18 March 1972 that, whereas the terms of the Agreement of 1964 provided for the coverage of 8,25,000 people and a residue of 1,50,000, its implementation showed that the actual number of persons involved was approximately 11,00,000.<sup>92</sup> According to the estimate of Vincent Coelho, a former High Commissioner for India in Sri Lanka, on 30 April 1970, the closing date for submitting applications for Indian citizenship, the Indian Mission in Colombo received applications for Indian citizenship from 4,58,422 persons, while the Government of Sri Lanka received applications from over

6,30,000 persons for Ceylonese citizenship. According to Coelho, therefore, the total number of Stateless persons, as in 1970, worked up to 10,88,422 (4,58,422 plus 6,30,000).<sup>93</sup> The Statesman (Calcutta edition) of 17 February 1973 published an editorial under the caption 'Not Under Duress' giving out information that 4,00,000 persons asked for Indian citizenship as against an expected number of 5,25,000 persons, while 6,25,000 persons claimed the citizenship of Sri Lanka, though the Agreement of 1964 provided for the absorption of 3,00,000 Indians only. According to the Statesman, therefore, the total number of Stateless persons was 10,25,000 (4,00,000 plus 6,25,000). The salient points which emerge from the above estimates are, firstly, that those who applied for the Ceylonese citizenship were more numerous than those who sought admission to the citizenship of India, a larger number of persons of Indian origin, in other words, having expressed their desire to stay on in Sri Lanka as Ceylonese nationals, and secondly, that the total number of Stateless persons, according to each of the aforesaid sources, exceeded the total (approximately 9,75,000), mentioned in the Agreement of 1964. The increase in the number of Stateless persons was obviously due to natural increase from 1964 to 1970. The absorption of this natural increase would be the responsibility of the governments of the two countries concerned in accordance with the terms of the Agreement. Indeed, the commitments of Colombo and New Delhi to admit the stipulated number of persons with their natural increase to the Ceylonese and Indian citizenship respectively are very explicit in the terms of the settlement effected. The number of persons admitted, under the Agreement of 1964, to the citizenship of the two countries in different years or periods until 1974 is presented below in a tabular form :

Number of persons admitted to the citizenship  
of Sri Lanka under the Agreement of 1964

Year or period of admission	No. of persons admitted to citizenship
Till the end of July 1969	1,208 <sup>94</sup>
Up to 30 September 1969	1,447 <sup>95</sup>
From 1 May 1968 till October 1969	2,000 <sup>96</sup>

Till end of May 1970	about 7,316 <sup>97</sup>
Till the end of 1971	24,260 <sup>98</sup>
Up to 31 January 1972	25,006 <sup>99</sup>
Position as on 30 April 1974	81,037 <sup>100</sup>
	(66,730 + 14,307, being natural increase)

Number of persons admitted to Indian citizenship  
under the Agreement of 1964

Year or period of admission	No. of persons admitted to citizenship
Up to the end of March 1969	37,425 <sup>101</sup>
Up to 30 September 1969	54,512 <sup>102</sup>
Till end of May 1970	about 72,000 <sup>103</sup>
Up to 31 January 1972	1,12,662 <sup>104</sup>
Up to July 1972	1,55,038 <sup>105</sup>
Up to 31 March 1973	1,85,711 <sup>106</sup>
Position as on 30 April 1974	2,39,159 <sup>107</sup>
	(1,99,798 + 39,361, being natural increase)

The above two Tables would indicate that in 6 years from 1968, the year of inviting applications for citizenship status under the Agreement of 1964, till the end of April 1974, 81,037 persons were admitted to the Ceylonese citizenship, while 2,39,159 persons were recognised as Indian citizens. In accordance with the prescribed ratio of 7:4, the Government of Sri Lanka was, however, required to admit about 1,36,662 persons of Indian origin to the citizenship of the country by the end of April 1974, as compared with 2,39,159 cases of admission to Indian citizenship.

Repatriation to India under the Agreement of 1964 commenced from 1968. Applications for repatriation were invited from 1 May of the year, and a two-year time-limit was prescribed for the submission of applications by the persons concerned. By the month of June 1968, over 20,000 persons applied to the Indian High Commissioner in Sri Lanka for repatria-

tion.<sup>108</sup> Up to 31 July 1968, 5,497 persons were repatriated to India,<sup>109</sup> while till the end of October of the year, the repatriates numbered 6,500.<sup>110</sup> Till 30 April 1974<sup>111</sup>, 1,16,736 persons, recognized as Indian citizens, together with the natural increase of 21,641 (aggregating 1,38,377) were repatriated to India, as against the total of 2,39,159 persons, admitted to Indian citizenship till that date, as stated above.

With the repatriation issue is closely linked the question of the resettlement or rehabilitation of the repatriates. The

#### Rehabilitation measures

rehabilitation issue has, indeed, posed a formidable challenge to the Government of India. The repatriates are mostly (about

90 per cent) estate workers, the balance being the non-estate population comprising small traders, employees, agricultural labourers, domestic servants etc. The repatriates being mostly Tamils have been resettling themselves in their home districts in South India. The majority of them have been received in Tamil Nadu and the rest in other southern States like Kerala, Travancore, Cochin, Mysore (Raichur district) and Andhra Pradesh, as also in the Andaman and Nicobar Islands, Dandakaranya and Rajasthan canal area. This would be evident from the blueprint, finalised at a conference at Tamil Nadu on 5 August 1967, for the rehabilitation of 60,000 persons expected to reach India within 15 months of the date of the conference. The conference, presided over by the then Union Minister for Rehabilitation, Jaisukhlal Hathi, and attended by the then Tamil Nadu Chief Minister, N Annadurai, and by the ministers of the Mysore and Kerala governments, finalised the plans for rehabilitating the 60,000 persons out of the total number of 5,25,000 due to be repatriated to India over a span of 15 years. As decided at the above conference, Tamil Nadu would absorb the majority, namely 18,000, Kerala would welcome 4,050, Mysore and Andhra Pradesh, 17,000 each, while the balance would be the responsibility of the other hospitable States.<sup>112</sup>

The States extending their co-operation for the rehabilitation of the repatriates were not initially required to meet the rehabilitation expenditure entirely out of their respective budgets but were due to receive financial assistance from the Centre towards that end. It is the policy of the Government of India to treat the issue of rehabilitation as a national problem.<sup>113</sup> Money required by the State Governments concerned for im-

plementing the relief and rehabilitation measures would be provided by the Central Government in the form of loan or grant to them. A sum of Rs. 400.42 lakhs, for instance, had been released by the Centre up to March 1972 as loan to the State Governments towards implementing the scheme of giving financial assistance to the repatriated persons for plantation, agriculture and business purposes.<sup>114</sup> Losses, if any, arising out of the non-recovery of the loans from the repatriates would be shared by the Central Government with the State Governments in the proportion of 75 : 25.

The measures adopted by the Government of India to provide the repatriates with transport facilities and to meet their immediate needs on their arrival at South India include a bi-weekly ferry service operating between Talaimannar and Rameswaram, a transit camp, set up at Mandapam, commodious enough to accommodate 700 repatriate families,<sup>115</sup> and a branch of the Indian Bank Ltd., opened at Rameswaram to give the repatriates facilities for encashing drafts or travellers' cheques up to Rs. 150 each. Government adopted the policy not to sanction cash doles to the repatriates, covered by the Agreement of 1964, during their stay at the transit camp, the repatriates being entitled to bring their assets and savings subject to certain limits. But a lump sum grant equivalent to one month's cash dole would be given to them according to the size of their family at a rate varying from Rs. 30 to Rs. 75, if they were admitted to the transit camp and applied for rehabilitation assistance.

Provided with liberal Customs concessions and facilities,<sup>116</sup> the repatriates are permitted to bring with them, free from Customs duty and Import Trade Control restrictions, personal belongings and household effects, personal jewellery up to the value of Rs. 16,000, motor vehicles, possessed and used by them for not less than one year, as also stock in trade (that is, unsold goods in the possession of the repatriates) up to a value of Rs. 16,000. The repatriates bringing assets exceeding Rs. 10,000 in value are not considered for rehabilitation assistance on the assumption that they would be able to resettle themselves without external aid.<sup>117</sup>

The Government of India have adopted some specific measures for the rehabilitation of the repatriates. Since most of them are plantation workers, the Government have made it a

point to secure them employment in plantation and agricultural work. On 24 July 1968, Mrs. Indira Gandhi made a statement in the Lok Sabha on the steps taken and on the proposals under consideration, for the rehabilitation of the repatriates from Sri Lanka, such steps and proposals being as follows<sup>118</sup>: (1) Priority has been accorded to the repatriates from Sri Lanka for appointment under the Central Government through Employment Exchanges. (2) Upper age-limit has been relaxed to 45 years (50 years for scheduled castes and scheduled tribes) for appointment under Central Government through Employment Exchanges. (3) Upper age-limit has been relaxed by 3 years and fee concessions have been granted, in respect of appointments made through competitive examinations held by Union Public Service Commission. (4) Special Employment Liaison Officers have been appointed at Madras and Vishakhapatnam to render employment assistance to repatriates. (5) It has been decided to extend to the repatriates the following loans and concessions: (i) loans for carrying on a trade or business or profession, (ii) loans for the construction of houses and business premises, (iii) educational concessions and stipends. (6) Possibilities of absorbing plantation workers in the existing plantations to the extent possible are being explored through the United Planters' Association of Southern India. (7) One scheme for setting up rubber plantation on 8,000 acres at Sullia in South Canara district and at Mysore has already been sanctioned. It will provide employment to 2,668 workers and will cost Rs. 275.13 lakhs. (8) A scheme of rubber plantation on 6,000 acres on Katchal Island (Andaman and Nicobar Islands) has also been sanctioned. It will provide employment to about 2,400 workers and will cost Rs. 450 lakhs. (9) A scheme for resettling about 1,000 families on 5,000 acres of agricultural land in Mysore at a cost of Rs. 97.80 lakhs has been sanctioned. Part of the area will be available for resettlement of the repatriates from Sri Lanka. (10) A scheme for new tea plantation on 750 acres of forest lands in the Nilgiris district (Tamil Nadu) has been sanctioned at a cost of Rs. 92.71 lakhs. It will provide employment to 800 workers. (11) Proposals for setting up more tea, rubber and coffee plantations in Madras, Mysore and Andhra Pradesh are under examination. Efforts are also being made to locate agricultural land for the

resettlement of repatriates and to set up industries for providing employment to them.

On 19 February 1969, Dinesh Singh, then Minister of External Affairs, also made a statement in the Lok Sabha on the measures<sup>119</sup> for rehabilitation of the repatriates from Sri Lanka. His statement included the first four of the above-mentioned measures of Mrs. Gandhi and also disclosed the following other rehabilitation measures :

(1) Loans will be given for trade and business purposes up to a ceiling of Rs. 5,000 per family.

(2) Housing loan for the purchase of homestead plot and for the construction of house will be given to the repatriates who settled down in agricultural and non-agricultural occupations, as detailed below :

	Urban area	Rural area
a) Cost of plot	Rs. 600.00	Rs. 200.00
b) Cost of the construction of house	Rs. 2,000.00	Rs. 1,250.00
c) Development of land	Rs. 1,500.00	Rs. 600.00
d) For business premises	Rs. 500.00	Rs. 200.00
	<hr/>	<hr/>
	Rs. 4,600.00	Rs. 2,250.00
	<hr/>	<hr/>

(3) The Governments of Madras, Andhra Pradesh and Kerala have granted age and fee concessions, similar to those mentioned by Mrs. Gandhi in her aforesaid statement, for employment to the posts and services in their States. Other State Governments have also been requested to take action on similar lines.

(4) A book-grant ranging from Rs. 5 to Rs 100 per annum will be sanctioned to the repatriates' children, studying in schools and colleges, for the purchase of books. Stipends ranging from Rs. 40 to Rs. 60 per month may also be sanctioned to the students studying in High schools and colleges, provided they stay in a hostel and their parents' income is less than Rs. 250 per month, subject to certain stipulations regarding marks obtained by them in their examinations.

(5) The agriculturist repatriates, who have been allotted land, may be given the following loans for purchasing bullocks, seeds and fertilisers :

	Ceiling per family
For a pair of bullocks	Rs. 550
For seeds and fertilisers	Rs. 125
For agricultural implements	Rs. 175
	<hr/>
	Rs. 850
	<hr/>

An additional loan of Rs. 165 per family may be given for fertilisers in those cases where the repatriates were allotted land, deficient in nitrogen, phosphates and potash. Dinesh Singh also mentioned such plantation schemes, sanctioned by the Department of Rehabilitation, as Nilgiris Tea Plantation, Sullia Rubber Plantation and Katchal Rubber Plantation. The External Affairs Minister disclosed, in addition, the Tamil Nadu Cocoanut Plantation Scheme costing Rs. 3.60 lakhs.

The Government of India have also sanctioned the following plantation schemes, besides those mentioned above, for resettlement of the repatriates from Sri Lanka<sup>120</sup>:

Name of the scheme	Area in acres	Employment potential	Cost
Kanyakumari Rubber Plantation (Tamil Nadu)	2,000	666 workers	Rs. 124.63 lakhs
Rubber Plantation Scheme at Subramanya (Mysore)	5,000	1,666 workers	Rs. 364.76 lakhs
Rubber Plantation Scheme in Quilon district (Kerala)	5,000	1,500 workers	Rs. 311.65 lakhs
Coffee Plantation Scheme in Visakhapatnam district (Andhra Pradesh)	2,025	1,200 workers	Rs. 106.58 lakhs

The above plantation schemes besides, other measures for the purpose of rehabilitation of the repatriates have been adopted by the Government of India. One such measure is to offer loan for the purchase of land to those repatriates who wish to settle in their own villages. Loan would be sanctioned for purchasing land up to a ceiling of 3 acres per family at the rate not exceeding Rs. 1,000 per acre.<sup>121</sup> The financial assistance for purchasing land would, however, be restricted to those bringing assets up to Rs. 5,000 only in value from Sri Lanka.<sup>122</sup> For

financial assistance to repatriates to cultivate their own land, the Government of Tamil Nadu and other southern States have adopted the scheme that such assistance would be rendered to those repatriates who own lands not exceeding 5 acres each and the value of whose assets brought from Sri Lanka, together with the value of their own lands in India, would not exceed Rs. 10,000.<sup>123</sup>

To rehabilitate the entire body of repatriates from Sri Lanka on a satisfactory basis is a big challenge to the Government of India. The Government has encountered the challenge with the initial success in giving temporary relief to all those who have already returned and in permanently rehabilitating as many of them as possible, with the resources at its command. The Rehabilitation measures already on the list will have to be implemented, and more schemes have to be undertaken in the near future, with the increasing flow of repatriates, till the last person, recognized as an Indian citizen, leaves the shore of Sri Lanka under the Shastri-Bandaranaike Agreement of October 1964.

Under the Agreement of 1964, the status of the remaining 1,50,000 Stateless persons was left over to be determined by a separate Agreement between the two Governments in future.

**Joint Communiqué of January 1974** The separate Agreement was concluded during Mrs. Bandaranaike's (who came into power again in 1970 after her defeat in 1965) state visit to New Delhi in January 1974. On 27th of the month, Mrs. Bandaranaike and Mrs. Gandhi issued the Indo-Sri Lanka Joint Communiqué<sup>124</sup> in which it was finally decided that Sri Lanka would absorb 75,000 of the Stateless persons with natural increase, by offering them Ceylonese citizenship, while India would take the remaining half with natural increase. It was also agreed that until such time as the remaining 75,000 were repatriated to India, they would continue to enjoy all the existing facilities in Sri Lanka, except the facilities for remittances. The repatriation of 75,000 persons would commence after the repatriation of 5,25,000 persons had been completed and would be phased over a period of two years. The grant of the citizenship of Sri Lanka to the remaining 75,000 persons would commence after the 3,00,000 persons had been admitted to the Ceylonese citizenship and

would be in the ratio of 1:1 to the number repatriated to India.

The Joint Communiqué of 1974 was thus complementary to the Agreement of 1964, both jointly paving the way for ending the Statelessness of the persons of Indian origin in Sri Lanka through the mutual agreement that a portion of them would be admitted to the Ceylonese citizenship and the rest to the citizenship of India. The Ceylon Workers' Congress, however, held that the policy of the two governments was to settle the citizenship problem with reference to the number of persons only, 'without any regard to their preference or choice in the matter'.<sup>125</sup>

Though Colombo and New Delhi finally agreed in 1974 on the *modus operandi* of ending the statelessness of the persons of Indian origin, the iniquitous distinction, created by the Ceylon Citizenship Act of 1948, between citizenship by descent and citizenship by registration continued to exist, relegating the citizens by registration to the status of second class citizens. Fortunately, Sri Lanka's new Constitution (1978) has eliminated the distinction by providing for the treatment of the citizens by registration on par with Sri Lanka's nationals by descent. Citizens whether by descent or by registration have now, for the first time, been made equals in the eye of the law. The new Constitution has, in other words, created only one status for all citizens, with the result that second class citizenship in Sri Lanka has ceased to exist.

#### FOOTNOTES

- 1 A former Prime Minister of Sri Lanka. Vide his 'An Asian Prime Minister's story', *op. cit.*, p. 98.
- 2 Vide H. P. Chattopadhyaya, *op. cit.*, p. 189.
- 3 Vide Report of the Controller of Indian Immigrant Labour for 1924, p. PII, Para. 78.
- 4 *Ibid.*, 1925, Chapter VI.
- 5 Vide Agent's Report for 1929, 1944. Also St. Antony's Papers No. 8, South Asian Affairs—No. 1, 1930—The problem of Indian Immigration to Ceylon by Nimalasiri Silva.

- 6 Agent's Report for 1945.
- 7 Ibid.
- 8 Ibid.
- 9 N. A. of India—Edu., H. & L. overseas Progs. 49-52B, March 1931, K & W.
- 10 Ibid.
- 11 N. A. of India—Edu., H. & L. overseas Progs, 169-170B Sept. 1931, K & W.
- 12 An Asian Prime Minister's story, op. cit., P. 98.
- 13 P. R. Ramchandra Rao, op. cit., P. 54.
- 14 Vide an Asian Prime Minister's story op. cit., p. 99.
- 15 Ibid.
- 16 Vide Ceylon Sessional Paper VIII of 1941—Indo-Ceylon Exploratory Conference—Report.
- 17 Ceylon Sessional paper Vol. IX, 1941—Indo-Ceylon Relations Exploratory Conference, Proceedings of Meetings, November, 1940.
- 18 Bandaranaike, Towards a new era, p. 595.
- 19 Agent's Report for 1941—Joint Report by the Delegation from India and Ceylon, Appendix XVII, pp. 55-60.
- 20 The Immigration Ordinance of 1941 was drafted to provide for a system of passports, landing permits and return visas of the immigrants whose entry into Sri Lanka would not be prejudicial to the interests of the country. The Ordinance was obviously intended to control and regulate the entry of the non-Ceylonese into the Island.
- 21 Agent's Report for 1941, p. 49.
- 22 Besides Bajpai, the other representatives of the Government of India in the Colombo talks of September 1941 were Mirza M. Ismail, T. G. Rutherford and T. R. Venkatarama Sastri. Similarly, the Ceylon Government was represented by G. C. S. Corea and Robert H. Drayton, besides D. S. Senanayake. Vide Agent's Report, 1941, Appendix XVII, p. 60.
- 23 A Jeyaratnam Wilson. Politics in Sri Lanka, pp. 29-30.
- 24 Agent's Report for 1945, p. 6.
- 25 Ibid.
- 26 A. Jeyaratnam Wilson—op. cit., p. 49.
- 27 Vide Ceylon Sessional paper XXII, 1948. Also, Govt. of India, Ministry of External Affairs and Commonwealth Relations—correspondence exchanged between the Govt. of India and Ceylon regarding the grant of citizenship right to Indians, resident in Ceylon—Letter no. 33/47 of 16. I. 48 from the High Commissioner for India in Colombo to the Prime Minister of Ceylon, containing a detailed record of the discussion held between the Prime Ministers of Ceylon and India at the end of December 1947. Also India, Vol. II, issued under the auspices of the Indian Council of World Affairs, pp. 91-94.

28 The proposals, written in the form of a letter, were communicated on 29. 12. 47 by K. Vaithianathan, Permanent Secretary, Ministry of Defence and External Affairs, Govt. of Sri Lanka, to S. Dutt, Secretary to the Govt. of India, Ministry of External Affairs and Commonwealth Relations, New Delhi. Vide Ceylon Sessional Paper XXII, 1958, op. cit.

29 India, Vol. II, op. cit. Also Ceylon Sessional Paper XXII, 1948, op. cit.

30 Ceylon Sessional Paper XXII, 1948, Ibid.

31 Ibid.

32 Vide Clive Parry, Nationality, and Citizenship Laws of the Commonwealth and the Republic of Ireland, p. 798

33 Ibid., p. 802. Also S. U. Kodikara, Indo-Ceylon Relations since Independence, p. 109.

34 Hansard Parl. Debates (Ceylon); House of Rep., Vol. 41, nos. 1-12 of 1960. Session 1960-61, col. 1929.

35 Ibid. Col. 1930.

36 Clive Parry, op. cit., p. 820.

37 The Hindu, 28. 4. 1952—Satyagraha in Ceylon, p. 1.

38 The Hindu, 1. 5. 1952, p. 5.

39 Ibid. Also The Hindu, 3. 5. 1952, and 12. 5. 1952

40 The Hindu, 5. 5. 52, p. 1.

41 The Hindu, 17. 9. 52.

42 Ibid.

43 Ibid.

44 Ibid.

45 Ceylon Parl. Debates (Hansard), House of Rep., Vol. 16, 29 Sept, 1953 to 31 March 1954. Cols. 2897-2898, 2645-2646.  
Also vide Foreign Affairs Reports Vol. XIII, No. 1, January 1964—'Persons of Indian origin in Ceylon' by S. U. Kodikara.

46 Foreign Policy of India—Texts of Documents, 1947-58, Issued by Lok Sabha Secretariat, New Delhi, October 1958, pp. 83-84.

47 (Indian) Parl. Debates, Part II, Vol. V, 1954, col. 7509, 15. 5. 54.

48 Ceylon Parl. Debates (Hansard), House of Rep., Vol. 16, 29. 9. 53 to 31. 3. 54 op. cit., col. 2647.

49 Ibid., col. 2649.

50 (Indian) Parl. Debates, Part II, Vol. V, 1954, op. cit., col. 7509, 15. 5. 54.

51 Vide Foreign Policy of India—Texts of Documents, 1947-58, Issued by the Lok Sabha Secretariat, New Delhi. October 1958, op. cit., pp. 105-107.  
Also Ceylon Parl. Debates (Hansard), House of Rep., Vol. 20 (7,9,54-18,2 55), cols. 887-890. The Ceylonese delegation included D. Senanayake (former Prime Minister) and S. W. R. D. Bandaranaike (leader of the opposition), besides Sir John Kotellawala.

52 An Asian Prime Minister's story, p. 111, op. cit.

53 Ceylon Parl. Debates ( Hansard ), Vol. 20, ( 7. 9. 54—18. 2. 55 ), op. cit., col. 893—Speech of Kotelawala.

54 (Indian) Parl. Debates, Part II, Vol. II, 1953, col. 2176, 17. 3. 53—Statement by Dr. Lanka Sundaram.

55 Ibid.

56 Ceylon Parl. Debates ( Hansard ), House of Rep., Vol. 18 of 1954 col. 181.

57 Foreign Affairs Record, Vol. I, No. 2, Feb. 1955. Ministry of External Affairs, External Publicity Dept., Govt. of India.

58 Ibid.

59 Ibid.

60 Nehru's Statement in Lok Sabha—Lok Sabha Debates, Part I, Vol. I, 12th Session, 1956, cols. 191-92.

61 Lok Sabha Debates, 2nd series, Vol. LVI, 1961, 14th Session 1961, col. 12.

62 Lok Sabha Debates, Vol. III, 1962, Third Series, first session, col. 5517, 21. 5. 62—Statement of Srimati Lakshmi Menon.

63 Lok Sabha Debates, Vol. LVI, 1961, 2nd Series, 14th Session, col. 11.

64 G. I., Development Dept., G. O. no. 3144, 12. 12. 38—Report of the Controller of Labour for 1937.

G. I., Public Works Dept., G. O. no. 46, 5. 1. 42—Report of the Controller of Labour for 1940,

G. I., Public Works Dept., G. O. no. 5209 MS, 8, 2. 43—Report of the Controller of Labour for 1941

65 K. P. S. Menon's (Agent to the Government of India in Ceylon) Report for 1932.

66 Ibid. The 26,883 repatriates were composed of 8,908 men, 8,792 women, 6,753 children and 2,430 infants.

67 Ibid.

68 Lok Sabha Debates, Vol. XLIX, 3rd Series, 13th Session, 1965 col. 5640, 6. 12. 65—Statement of Swaran Singh, Minister of External Affairs.

69 Lok Sabha Debates, Vol. II, 1967, 1st Session, 4th Series, cols. 2320-21.

70 Lok Sabha Debates, Vol. II, 1967, 4th Series, 1st Session, cols. 2320-21, 3. 4. 67.

71 Foreign Affairs Record, Vol. X, January No. 1, 1964, published by the Ministry of External Affairs, External Publicity Division, Govt. of India. The Agreement was signed in the form of letters exchanged between the two Prime Ministers, Mrs. Bandaranaike's letter no. CIT/ICP/62, 30. 12. 64 to Shastriji embodies the terms of the Agreement. In acknowledging the letter, Shastriji confirmed the main heads of the Agreement, proposed by Mrs. Bandaranaike and concluded his letter

thus. 'Your letter and my reply thereto shall constitute an agreement between the Government of India and the Government of Ceylon'.)

72 Lok Sabha Debates, Vol. XXXV, 1964, 3rd Series, 10th Session, col. 1216, 23. 11. 64.

73 Ibid., col. 1238, 23. 11. 64.

74 Ibid., col. 1527.

75 Ibid., cols. 1524-1527, 24. 11. 64.

76 Keesings Contemporary Archives, Nov. 14-21, 1964. p. 20405A.

77 Ibid.

78 Ibid.

79 Hansard Parl. Debates—House of Rep., (Ceylon), Vol. 71 of 1967, Session 1966-67, col. 590.

80 Ibid.

81 Lok Sabha Debates, Vol. LVII, 1966, cols. 1482-1492.

82 Ceylon Hansard Parl. Debates—House of Rep. Vol. 71, 1967, Session 1966-67, cols. 555, 568.

83 Ibid., cols. 556, 557, 559, 560.

84 Keesings Contemporary Archives, July 8-15, 1967, P. A 22132.

85 Ibid.

86 The Indian Express ( New Delhi ), 6. 6. 67. Also Asian Recorder, July 16-22, 1967, p. 7808.

87 The Hindu, 27. 11. 68—S. Thondaman, Future of Ceylon's Stateless persons.

88 Speeches of Mrs. Indira Gandhi, September 18-21, 1967, published by the Director, Publications Division, Ministry of Information and Broadcasting, Govt. of India, Octo. 1967, Text of Joint Communique, issued by Mrs. Gandhi and D. Senanayake. p. 27.

89 Ibid.. p. 4.

90 Lok Sabha Debates, Vol. XVIII, 1968, cols. 999-1001, 24. 7. 68—Statement by Mrs. Indira Gandhi. According to the Administration Report of the Controller of Immigration and Emigration and Commissioner for the Registration of persons of Indian origin for 1968-69, the date of inviting applications was 1 May 1968.

91 File on Indo-Ceylon Agreement (D. W. E.), kept in Ceylon Workers' Congress Office, Colombo.

92 Ibid.

93 Vincent Coelho, Across the Palk Straits. India-Sri Lanka Relations p. 133.

94 The Hindusthan Times, 2. 9. 69.

95 Ceylon Daily News, 20. 10. 69.

96 Administration Report of the Controller of Immigration and Emigration and Commissioner for the Registration of persons of Indian origin for 1968-69, op. cit.

97 Ceylon Workers' Congress—File on Indo-Ceylon Agreement (D. W. E.) op. cit.

98 The Statesman (Calcutta ed.), 13. I. 72.

99 Ceylon Workers' Congress—File on Indo-Ceylon Agreement, op. cit.

100 Ceylon Workers' Congress—Statement prepared by R. Jesudasan, Director of Political Affairs, C. W. C.

101 Lok Sabha Debates, Vol. XXIX, 1969, 7th Session, 4th Series, cols. 112 and 113, 14. 5. 69—Statement of Surendra Pal Singh, Dy. Minister in the Ministry of External Affairs.

102 Administration Report of the Controller of Immigration and Emigration and Commissioner for the Registration of persons of Indian origin for 1968-69, op. cit.

103 Ceylon Workers' Congress—File on Indo-Ceylon Agreement, op. cit. Also The Patriot (New Delhi), 18. 8. 70.

104 Ceylon Workers' Congress—File on Indo-Ceylon Agreement, Ibid.

105 Ministry of Labour and Rehabilitation, Govt. of India, Dept. of Rehabilitation—Report for 1972-73, p. 63.

106 Ibid.

107 Ceylon Workers' Congress—Statement prepared by R. Jesudasan, op. cit.

108 The Hindusthan Times, 28. 6. 68.

109 Lok Sabha Debates, Vol. XX, 1968, 5th Session, 4th Series, col. 2868, 29. 8. 68—Statement of D. R. Chavan, Deputy Minister in the Ministry of Labour, Employment and Rehabilitation.

110 Lok Sabha Debates, Vol. XXIV, 1969, 7th Session, 4th Series, cols. 138-140, dated 19. 2. 69. Statement of Dinesh Singh, Minister of External Affairs.

111 Ceylon Workers' Congress—Statement prepared by R. Jesudasan, op. cit. According to the Report of the Rehabilitation Department, Govt. of India, for 1972-73 (p. 63), 79,025 persons returned to India up to 31. 12. 72 under the Indo-Ceylon Agreement of 1964, as detailed below :

	No. of persons arrived
From 30. 10. 1964 to 1968	7,479
1969	5,764
1970	7,988
1971	25,136
1972	32,658
	<hr/>
	79,025

It is difficult to understand why the number of persons who returned during the period before 1968 could be treated as repatriates under the Indo-Ceylon Agreement of 1964 in view of the fact that repatriation under the Agreement of 1964 did not commence before 1968.

112 The Statesman (New Delhi), 6. 8. 67.

113 Dept. of Rehabilitation, Government of India—Report, 1972-73. Also Lok Sabha Debates, Vol. IX, 1967, 3rd Session, 4th Series, cols. 271-72, 14 Nov. 1967.

114 Dept. of Rehabilitation, Govt. of India—Report, 1972-73, op. cit., p. 67.

115 Lok Sabha Debates, Vol. XXIX, 1969, 7th Session, 4th Series, cols. 132 and 133.

116 Dept. of Rehabilitation, Govt. of India—Report, 1972-73, op. cit., p. 64.

117 Ibid.

118 Lok Sabha Debates, Vol. XVIII, 1968, cols. 999-1001, 24 July 1968.

119 Lok Sabha Debates, Vol. XXIV, 1969, 7th Session, 4th Series. cols. 138—140, dated 19. 2. 69.

120 Dept. of Rehabilitation, Govt. of India, Report, 1972-73, op. cit., p. 65.

121 Ibid., p. 66.

122 Ibid.

123 Ibid.

124 Vide Vincent Coelho, op. cit., Appendix II.

125 Vide the Statement issued by the C. W. C. at its meeting on 6. 2. 74 under the chairmanship of S. Thondaman—preserved at the Office of C. W. C. at Colombo.

## CHAPTER VII

### CONCLUSION

The demand for Indian labour for British plantations in face of the reluctance of the Sinhalese to take to the regimented life on estates marked the genesis of the Tamil immigration into Sri Lanka in the first half of the last century, as has been recounted in the first chapter of this volume. The first batch of the Tamil estate labourers reached Sri Lanka in the 1830's. Their immigration into the Island, which had continued since then more or less at a regular flow, was finally banned by the Government of India in 1939. The Tamil estate labourers were followed at their heels by non-estate labourers as also by traders, business men and professionals. While the estate labourers were recruited by Kanganiyas from South India, the others were voluntary migrants from the west, north and south of the country. The estate labourers meant to stay on in Sri Lanka permanently whereas the others had no such desire but meant to commute between India and Sri Lanka as the holders of temporary residence permits, renewable from time to time. Initially, good relations may be said to have subsisted between the Ceylonese and the Tamils but, as the pressure of population and the lack of employment opportunities began to be felt in Sri Lanka, the mutual relations between them gradually tended to cease being cordial, with the result that, in course of time, the Indo-Sri Lanka problem was born, the problem that concerned the descendants of those Tamils who immigrated into Sri Lanka as estate workers in the 19th and the early part of the 20th centuries. As the Tamil population increased from a few hundreds to more than a million, it posed a political threat to the Ceylonese people. Again, the employment of thousands of the Tamil workers on

the Island's economically most rewarding sectors (that is, tea and rubber plantations) was regarded by the Ceylonese, specially by the Kandyan Ceylonese, as constituting an economic threat to them, though initially it was the latter's reluctance, on rigid social considerations, to take to the barrack-style labour, required by the plantation sector, which paved the way for the employment of Indian labourers on coffee and tea estates. Basically, therefore, the Indo-Ceylonese problem was an intermixture of political and economic aspects.

The Indian immigration into Sri Lanka remained free from any interference by the Government of India till the passing of the Indian Emigration Act VII of 1922<sup>1</sup> which came into force on 5 March 1923. The Act provided for the official control of the Indian immigration into Sri Lanka and safeguarded the interests of Indian emigrants as well. It laid down

•  
Official control of  
immigration—  
Indian Emigration  
Act, VII, 1922.

that emigration for the purpose of unskilled labour 'shall not be lawful except from the ports of Calcutta, Madras, Bombay, Negapatam, Tuticorin and Dhanuskodi and from such other ports as the Central Government may, by notification in the Official Gazette, declare to be ports from which such emigration is lawful' (Section 9). It also laid down that emigration of unskilled labourers 'shall not be lawful except to such countries and on such terms and conditions as the Central Government, by notification in the Official Gazette, specify in this behalf.' (Section 10). It further provided for the appointment of Protectors of Emigrants and Medical Inspectors to look after the interests of Indian labourers emigrating from any Indian port wherefrom emigration was declared to be lawful [Sections 3(1)]. The Government of India also framed some Special Emigration Rules<sup>2</sup> in exercise of the powers conferred by Section 24<sup>3</sup> of the Indian Emigration Act, 1922.

The Special Emigration Rules required the appointment of an Emigration staff composed of an Emigration Commissioner, an Assistant Emigration Commissioner and of Emigration Agents. The Emigration Commissioner would be appointed by the Government of the country to which emigration would be lawful. The Government of Sri Lanka would, in other words, be required to appoint an Emigration Commissioner through

whom and under whose authority the recruitment of Indian labour for the estates in Sri Lanka should henceforth be carried out under licence. The Emigration Commissioner would be entitled to appoint as many persons as he might consider necessary for the purpose of propaganda and for assisting labourers to emigrate. Such persons would be called Emigration Agents who must be in possession of valid licences issued by the Emigration Commissioner. The Government of Sri Lanka would give facilities for the appointment of an Indian Agent in Sri Lanka and would furnish such periodical reports and returns as might be required from time to time by the Government of India in respect of the welfare of the persons immigrating into the Island. The Special Rules imposed some restrictions on the recruitment of labourers by the Emigration Agents. They would not operate, for instance, in pilgrim centres during a pilgrimage or at places where festivals were in progress or at any other place notified by the Indian Government. No intending emigrant below 18, unaccompanied by a parent or guardian, and no intending female emigrant, unaccompanied by a relative over 18 years of age, should be assisted to emigrate. Unmarried men, and those, married but unaccompanied by their wives, should not be assisted to immigrate into any one country in any one year to a number exceeding one in five of the total number of persons so assisted. The Central Government might exempt any specified country from the operation of this rule. The Emigration Agents would produce every intending emigrant, prior to his despatch to the port of embarkation, before a District Magistrate or before any other Magistrate who might be deputed by the District Magistrate on his behalf. If the Magistrate concerned was of the opinion that any intending emigrant should not be permitted to emigrate, such a rejected person with his dependants, if any, would be returned home at the expense of the Emigration Agent.

The Special Rules also laid down the functions of Kanganies and village munsiffs both of whom had significant roles in the recruitment of labour, as has been discussed in Chapter II above.

The Government of India set up, at this stage, a Standing Emigration Committee<sup>4</sup>, composed of 12 members of both Houses of the Indian Legislature, to advise on all questions

concerning emigration, which might be referred to it. The Standing Emigration Committee question of the terms and conditions on which the immigration of unskilled labourers should be allowed into Sri Lanka was the

foremost one to be referred to the Committee. The Committee recommended the adoption of the following terms and conditions : (1) Contracts, whether oral or written, executed for service in Sri Lanka for a period exceeding one month should be prohibited by law. (2) The entire cost of recruitment, subsistence and transport to the estate of destination should be met out of a common fund, managed by the Central Government, and no part of such cost should be recoverable from the immigrants. (3) Payments made by recruiters to the labourers recruited in India to enable them to pay off their debts should not be recovered from such labour-recruits either in Sri Lanka or in India.

The Standing Emigration Committee also made suggestions towards securing the labourers the following three benefits: (a) a basic wage which would enable them and their families to lead a tolerably comfortable life according to their standard of living and also to have some savings for old age; (b) repatriation, free of cost, of any assisted emigrant on reasonable grounds such as ill-health, unsuitability of work or ill-treatment, within one year of his arrival in Sri Lanka; and (c) the appointment, by the Government of India, of an Agent to safeguard the labourers' interests.

The Government of India forwarded the Committee's recommendations (Numbers 1 to 3 above) to the Ceylonese Government for its opinion and, at the same time, invited Ceylonese representatives to India to discuss the recommendations with the Standing Emigration Committee. The Ceylonese Government accordingly sent out a deputation which met the Committee towards the end of August 1922. After prolonged discussions with the Ceylonese deputation and after further consultation with the Ceylonese Government, the Indian Government

Ceylon Labour  
Ordinance No. 1 of  
1923.

prepared a draft in the form of a resolution, specifying the terms and conditions relating to immigration into Sri Lanka. A sequel to this was the Ceylon Labour Ordinance

No. 1 of 1923<sup>5</sup> which was promulgated by the Government of Sri Lanka on 11 April 1923. The Ordinance provided for

the appointment of a Controller of Indian Immigrant Labour in Sri Lanka and of an Emigration Commissioner (also called Ceylon Labour Commissioner) in India, as required by the Government of India's Special Emigration Rules, mentioned above. The Emigration Commissioner was entrusted with the duty of supervising and controlling the recruitment of unskilled labourers immigrating into Sri Lanka, as desired by the Indian Government. An Immigration Fund was also established to which every employer was required to contribute and which was intended to meet the whole cost of recruiting and introducing Indian immigrant labour into Sri Lanka. The Government of Sri Lanka also agreed to provide facilities for the appointment of an Indian Agent in Sri Lanka. Again, written contracts of service which could extend to 3 years under the Ordinance of 1865, as noted in Chapter II above, were now declared void if they were made for more than one month. Provision was also made for the repatriation, free of cost, of an assisted emigrant within one year of his arrival, if the Agent to the Government of India in Sri Lanka was satisfied that his return to India was desirable either on the ground of ill-health or on the ground of the unsuitability of the work he was required to do or on the ground of his ill-treatment at the hands of his employer. It was further provided, as desired by the Government of India, that no payment, made in India by a recruiter to enable an emigrant to pay off his debts before emigration, should be recoverable in any court in Sri Lanka. The Ceylon Labour Ordinance of 1923, it would thus appear, was based mainly on the recommendations of the Government of India.

The promulgation of the Ceylon Labour Ordinance of 1923 attracted large numbers of labourers to Sri Lanka till 1930 when depression in the rubber industry gave the tempo of immigration a set-back.<sup>6</sup> Meanwhile, in June 1939, the Government of Sri Lanka in pursuance of a drive to 'Ceylonize' the country's labour force dismissed as many as 2,518 (out of a total of 6,624) Indian daily-paid workers in Government service.<sup>7</sup> This step was justified by the Ceylonese Government on the ground of solving the unemployment problem of the Ceylonese people. The Government of Sri Lanka also desired that the dismissed Indian hands be repatriated to India forthwith. The Indian Government took umbrage at the decision of the Ceylonese

**Ban on the emigration of unskilled labour**

Government and finally banned the immigration of all unskilled labourers into Sri Lanka with effect from 1 August 1939.<sup>8</sup> By a subsequent notification, the Government of India allowed the wives and minor children of the unskilled labourers, already employed in Sri Lanka, as also their dependent non-working parents to join them in spite of the declaration of ban on emigration.<sup>9</sup> The above categories of persons were, in other words, exempted from the operation of the ban.

Early in September 1939, the Secretary to the Planters' Association, Sri Lanka, reported a total number of 1,215 cases involving 1,379 individuals who prayed for an exemption from the ban so as to be able to proceed from India to join their relatives in Sri Lanka.<sup>10</sup> Some of them belonged to the aforesaid class of dependants. Their prayer for exemption was, therefore, granted. In January 1940, the Ceylon Emigration Commissioner submitted to the Commissioner of Labour at Madras a list of 1,828 cases involving 2,501 individuals seeking exemption from the operation of the ban.<sup>11</sup> The number of applications for exemption received by the Commissioner of Labour, Madras, up to 10 February 1940 rose to 4,166. The Commissioner who had the discretionary authority to grant exemptions in deserving cases was reported to have exercised this authority in 1,289 cases from 1 August 1939 to 10 February 1940.<sup>12</sup>

Public opinion in India was, on the whole, in favour of the ban imposed on the emigration of unskilled labour. Representations were, however, made to the Government of India that the sudden imposition of the ban took unawares a number of labourers who had come to India before 1 August 1939, causing them considerable hardship by preventing their return to Sri Lanka and, consequently, separating them from their families left behind on the Island. The Government of India accordingly authorized the Commissioner of Labour, Madras, to grant exemptions to those Indian estate labourers who had come to India between 1 April and 15 August 1939 and who had been put to hardship because of the operation of the ban. The Commissioner of Labour was also authorized to continue allowing wives, minor children and also non-working dependants to return to Sri Lanka, irrespective of whether

they came to India before or after the date of the imposition of the ban.

The public opinion in India which was initially in favour of the ban began gradually to favour the idea that, while the ban should continue to operate in respect of the unskilled labourers immigrating into Sri Lanka for the first time, full freedom should be restored to the labourers already in Sri Lanka to visit India for a stated period to attend to their domestic affairs and to return to Sri Lanka at the end of the

visit. The Government of India accordingly

Ban relaxed in  
September 1942

relaxed the ban, with effect from 1 September 1942,<sup>13</sup> in its application to the labourers,

already employed in Sri Lanka, so as to facilitate their customary visits to India for social and domestic reasons and their return to Sri Lanka at the end of such visits. Estate labourers going on a visit to India after 1 September 1942 were, however, required to have their identification certificates endorsed with the date of arrival in India by the protector of Emigrants at Mandapam or at Tuticorin. The planters in Sri Lanka took alarm, apprehending that the relaxation of the ban might result in a large-scale exodus of the estate labourers and in the consequent shortage of labour. To remove any such apprehension on the part of the planters, arrangements were made to ensure that labourers desirous of 'going to coast' should go in rotation and in small numbers.

The ban was thus only relaxed in September 1942, without being wholly lifted. Meanwhile, the pursuance of the policy of the maximum production of tea and rubber led to the absorption of the small surplus of labour available in Sri Lanka and to the ultimate shortage of labour mainly for rubber tapping by the end of 1942. The planting community made representations to the Government of Sri Lanka, even in face of the ban, that additional labour from India was necessary for the increased production of both tea and rubber. The Ceylonese Government accordingly sent a telegram to the Government

Ceylonese Government's request for additional labour in face of the Ban, and the reaction of G. I. enquiring whether the Government of India, notwithstanding

of India on 8 December 1942, pointing out the necessity of the employment of additional labour on tea and rubber plantations during the war period for the sake of increased production, and notwithstanding

the existing ban on the emigration of unskilled labour, would consider the special recruitment of Indian labour to meet the war emergency on the following terms : (a) Pay and conditions of employment identical with those of other Indian labourers. (b) Compulsory repatriation of the specially recruited labour to India at the end of the war or at the end of any other period stipulated by agreement.<sup>14</sup>

In reply to the Government of India's enquiry regarding an estimate of additional labour required, the Government of Sri Lanka informed that, according to a provisional estimate furnished by the Planters' Association, 20,000 additional labourers would be required for rubber tapping and 30,000 for tea plantation.<sup>15</sup>

The Ceylonese Government deputed Sir Don Baron Jayatilake to India to discuss the issue with the Government of India. The Indian Government set its face against the proposal of compulsory repatriation of the specially recruited labourers at a later date and, at the same time, offered suggestions for determining the principles in accordance with which a settlement of the Indo-Sri Lanka problems should be negotiated after the war. The Government of India also prepared and placed before the Ceylonese Government on 18 January 1943 a draft statement of such principles for its consideration. The salient feature of the draft statement, in so far as it related to the proposed special recruitment of labour, was that such labourers should be eligible for all rights of citizenship now accruing to the persons possessing the Ceylonese domicile of origin.<sup>16</sup> The draft statement embodied 6 principles in all, as reproduced below<sup>17</sup> : (1) 'Ceylon has the right to determine the future composition of her population by the imposition of such restrictions as she may deem necessary upon the entry of new-comers'. (2) 'All Indians, who have entered or may enter Ceylon, without infringing any existing statute before a future post-war date is prescribed, will be eligible to qualify for all rights of citizenship now accruing to persons possessing a Ceylon domicile of origin.' (3) 'The qualification for such citizenship shall be such as can be determined by a simple administrative process without recourse, except for the legalization of documents or by way of appeal, to a court of law.' (4) 'Except for unskilled labour, Indians admitted to such citizenship shall have no right to any special protection by

the Government of India.' (5) 'The existing agreements between the two Governments regarding unskilled labour shall be maintained, subject only to such modifications as may become necessary by reason of restrictions being placed upon the entry of new-comers.' (6) 'Any restrictions that may be placed upon the entry of new-comers shall not be such as (a) to prevent Indians already in Ceylon (from) introducing, upon equal terms, wives, children and recognized dependants, (b) to interfere with normal commercial practice between the two countries or to prevent the continuation of Indian business already legitimately established in Ceylon or (c) to impose upon new-comers of Indian nationality any greater restrictions than may be imposed upon the new-comers of other nationalities.'

Sir Don Baron had a further discussion about the above draft statement with the Government of India, with the result that the Government of India agreed to certain alterations in clause 6(a) of the statement and also suggested the re-drafting of the clauses 4 and 5 as follows : (4) 'Indians admitted to such citizenship shall have no right to any special protection by the Government of India but, in the case of unskilled labour, there shall be no detraction from the conditions of work, wages, medical attention and housing already agreed between the two governments.' (5) 'The existing arrangements between the two governments regarding conditions of work, wages, medical attention and housing of unskilled labour shall be maintained in respect of immigrant labour, subject only to such modifications as may become necessary by reason of restrictions being placed upon the entry of new-comers'.

The Government of Sri Lanka, however, declared itself unable to accept the principles embodied in the draft statement. But the Government of India was still eager to help the Ceylonese Government with the extra labour needed for the greater production of rubber. On 9 March 1943, the Indian Government, therefore, made the following further suggestion to the Ceylonese Government, hoping to reach an acceptable solution to the problem : 'There are, in India, labourers who have worked in Ceylon before but are prevented from returning to Ceylon by reason of the prohibition of the immigration of unskilled labour into Ceylon. The Government of India would permit the return to Ceylon of such labourers up to a

maximum of 20,000, provided no condition of compulsory repatriation was attached to these immigrants by the Government of Ceylon. Their wages and conditions of employment would be the same as for Indian estate labourers, already in Ceylon. All questions regarding the status of these labourers in Ceylon should be left for determination as part of the general negotiations regarding the immigration and status of all Indians, which must take place after the war.<sup>18</sup>

When the above suggestion was made by India, the Executive Committee of Agriculture and Lands and the Executive Committee of Labour, Industry and Commerce in Sri Lanka submitted a joint report to the Government of Sri Lanka, suggesting that labour locally available should be tried for the maximum production of rubber. The joint report being then under consideration by the State Council, the Government of Sri Lanka decided to postpone its final reply to the Government of India's offer. The decision was accordingly communicated to the Indian Government by the Government of Sri Lanka on 29 March 1943.<sup>19</sup>

The Government of India thereupon replied on 2 April that their offer to send palaials (old arrivals) 'could not subsist indefinitely' and that they 'regarded negotiations now at an end and their offer withdrawn.'<sup>20</sup> The Ceylonese Government, on their part, informed the Government of India that 'they hoped to obtain sufficient labour locally to achieve the maximum output of rubber' and that 'the negotiations arising out of the Governor's telegram, dated 8 December 1942, was, therefore, at an end.'<sup>21</sup>

So, the ban imposed on the emigration of unskilled Tamil labourers in 1939 remained in force in the years that followed. The Government of India even took steps to prevent the entry of Tamil labourers from Sri Lanka into India on the strength of Estate Identification Certificates, with effect from 1 June 1954.<sup>22</sup> The previous order relaxing the ban was, in other words, withdrawn. There were, no doubt, sporadic instances

Steps taken by G. I.  
to check illicit  
immigration

labourers reached

of evasion of the ban by eluding detection by the Ceylon Emigration Commissioner and the Protector of Emigrants. There were, again, a few cases in which unskilled Sri Lanka in the guise of skilled labourers

to work as employees in boutiques or as domestic servants. Subsequently, they took to unskilled work. To check illicit immigration into Sri Lanka, the Government of India, no doubt, took a number of steps such as (i) vigorous action to apprehend, and send up for trial, touts, abettors and potential illicit immigrants, (ii) patrolling both by land and sea, (iii) grant of rewards for the supply of useful information regarding illicit immigration, and (iv) publicity given, through the press and radio and by other means, to the sufferings and hardships, which illicit immigrants have to undergo both while on sea and after reaching Sri Lanka, and also to the penalties attending detection.<sup>23</sup>

By the time the ban was imposed, plantation in Sri Lanka had appreciably thrived, changing the economic face of the Island. Who would deny that to this economic growth of the

Contribution of

Indian labourers to  
the economic deve-  
lopment of Sri  
Lanka

country the contribution of the labourers of Indian origin had been tremendous? As Gregory (Governor) wrote to Earl of Kimberley, 'their (Indian labourers') cheerfulness, their readiness to oblige, their attach-

ment to a kind master cover a multitude of little sins, and one cannot forget that it is mainly their labour that has created the prosperity of Ceylon.<sup>24</sup> The Ceylon Daily News (Colombo) reported in its issue of 6 November 1923: 'Indians have large vested interests in the colony and have contributed largely, if not mostly, to the agricultural and industrial development of the Island. From an economic point of view, take away the cheap Indian labour from Ceylon, the Island's staple industry, tea, is completely ruined, and Ceylon will be bankrupt financially.' Jackson is full of appreciation of the services rendered by the Indian labourers to the economic prosperity of Sri Lanka. 'If Indian labour had not been available', he wrote in his Report,<sup>25</sup> 'nothing resembling the manifold advantages which have accrued to the Island from the production, first, of coffee and later, of tea and rubber could possibly have been gained.' Jackson further wrote: 'Regular and continuous day to day work necessary on an estate for the production of tea has always been done almost exclusively by Indians. In the early days of coffee and tea, and later, of rubber, the clearing of forest and jungle over large tracts of land in preparation for development was almost entirely done by them. No one could call that easy work, and to do it they had often to go, for a time, to places,

distant from their homes, to work in climates in which they were not accustomed to live...<sup>26</sup> Exploding the allegation that the immigrant Indian workers caused unemployment or other economic injury to the permanent population of Sri Lanka, Jackson wrote: 'It is broadly true to say that immigrant workers came to Ceylon for work for which Ceylonese were not available and for which, in the circumstances of the time, they could not have been made available by any action which employers could reasonably have been expected to take. So, far from causing economic injury to the permanent population, the immigrant workers made possible an economic and general advance which could not have taken place without them and in the benefits of which the great majority of the population directly or indirectly share today.'<sup>27</sup> D. S. Senanayake also admitted that Indian labour made a substantial contribution to the economic development of Sri Lanka, holding, however, at the same time, that it was the lack of opportunities for employment in their villages rather than any ardent desire to develop Sri Lanka economically which persuaded the Indian labourers to immigrate into the Island.<sup>28</sup> Sri Lanka's foreign exchange situation is largely determined by the sale and price of her three major export commodities—tea, rubber and coco-anut. These three commodities taken together account for more than 90 per cent of her total value of exports, tea alone being responsible for export earnings up to 60 per cent.<sup>29</sup> Sri Lanka is second only to India in world tea production, growing 2,13,475 metric tons in 1972, almost 20 per cent of the world tea production.<sup>30</sup> All these would not have been possible but for the Indian labourers' dedication and devotion to the cause of plantation economy of Sri Lanka. Their regular and untiring labour harnessed to British capital made Sri Lanka 'a Smiling Tea Garden', 'the Rubber Paradise of the East' and 'the Pearl of the East'.

And yet all the Ramasamys<sup>31</sup> could not be absorbed as the citizens of Sri Lanka. With the change in the political climate of the Island following her independence, the Ceylonese Govern-

Determination of  
the future of the  
Stateless persons

post-independence

ment addressed itself to the determination of the future of the persons of Indian origin who came to be looked upon as economic and political liabilities to the country. The legislations like the Citizenship act

of 1948 and the Indian and Pakistani Residents (Citizenship) Act of 1949 were, therefore, intended to restrict the admission of the non-Ceylonese to Ceylonese citizenship as rigidly as possible. The persons of Indian origin who were not considered as eligible for Ceylonese citizenship came to be classified as Stateless or Statusless persons who were to be repatriated to India. The governments of the two countries showed their eagerness to settle the citizenship problem by finding out solutions which would be acceptable to both. Hence there followed Desai-Senanayake talks in Colombo in April 1953, Nehru-Senanayake talks in London in June 1953, Nehru-Kotelawala Pact of January 1954, Nehru-Kotelawala Joint Statement of October 1954 and, above all, the Shastri-Bandaranaike Agreement of 1964. Finally, a Joint Communique was issued by Mrs. Indira Gandhi and Mrs. Sirimavo Bandaranaike from New Delhi in January 1974. The Agreement of 1964 was regarded by the two governments as having practically resolved the problem of citizenship on an acceptable basis. It left out the future of the residue aggregating 1,50,000 Stateless persons of Indian origin to be decided by a separate agreement to be subsequently concluded. The future of the residue was finally decided in January 1974, India agreeing to take back 75,000 together with natural increase and Sri Lanka signifying her willingness to absorb the remaining 75,000 together with natural increase. What the Agreement of 1964 together with the Joint Communique of 1974 finally decided was, therefore, that out of 9,75,000 Stateless persons, as estimated in 1964, the Government of Sri Lanka would absorb 3,75,000 (3,00,000 plus 75,000) with natural increase, while the Indian Government would recognize 6,00,000 (5,25,000 plus 75,000) with natural increase as Indian citizens and would get them all repatriated to India. The Agreement of 1964 provided for the absorption and repatriation of the Indians by the respective countries over a period of 15 years. Till 30 April 1974, 81,037 persons inclusive of natural increase were admitted to Ceylonese citizenship out of the stipulated 3,75,000 persons with natural increase whereas India recognized 2,39,159 persons inclusive of natural increase as Indian citizens out of the target strength of 6,00,000 persons with natural increase and had taken back a total of only 1,38,377 persons inclusive of natural increase. The issues of citizenship and repatriation cannot

obviously be treated as finally settled unless and until the Agreement of 1964 and the Joint Communiqué of 1974 have been fully implemented.

The Agreement of 1964 expires in 1979. Meanwhile, in July 1978, the Government of Sri Lanka sent a three-member delegation to New Delhi to review the implementation of the Agreement. At the end of three-day talks between the officials of the two governments, both sides agreed to take measures towards completing, before deadline, the processes of the grant of citizenship to, and the repatriation of, those persons of Indian origin still on the waiting lists of the two countries.<sup>32</sup> This eagerness on both sides augurs well for the speedy settlement of the problem of Statelessness of the persons of Indian origin in Sri Lanka.

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#### FOOTNOTES

- 1 Vide India Code, Vol. IV, Govt. of India, Ministry of Law.
- 2 Indian Emigration Rules, 1923, and Special Rules applicable to Ceylon and Malaya—Dept. of Rev. and Agri. Notification, Emig., Delhi, 10 March 1923.
- 3 Section 24 of the Indian Emigration Act reads thus : 'The Central Government may, by notification in the Official Gazette, make rules for the purpose of carrying into effect the provisions of this Act, namely Emigration Act, 1922,
- 4 File No. I69-6/34-L & O, K & W., Lands and Overseas, B 1934, Govt. of India—Memorandum on the position of Indians in Ceylon,
- 5 Ibid.
- 6 Vide pp. II3-II4 above.
- 7 P. R. Ramchandra Rao, op. cit., p. 54.
- 8 Agent's Report for 1939.
- 9 Also vide p. II5.
- 10 Agent's Report for 1939.
- 11 Ibid.
- 12 Ibid

- 13 Agent's Report for 1942.
- 14 Ibid.
- 15 Ibid.
- 16 Agent's Report for 1943, p. 21.
- 17 Vide Annual Report of the Representative of the Government of India in Ceylon for 1943—Appendix I, incorporated in the Agent's Report for 1943.
- 18 Agent's Report for 1943. Ibid., Para 32.
- 19 Ibid.
- 20 Ibid.
- 21 Ibid.
- 22 Labour Commissioner's Report for 1954
- 23 Lok Sabha Debates, Vol. III, Part I, 2nd Session, 1952, Col. 177, 10. II. 52.
- 24 N. A. of Sri Lanka—Lot 5/99, Despatch No. 99 Misc., 9. 7. 1872 from W. H. Gregory to Earl of Kimberley.
- 25 Ceylon Sessional Paper III, 1938—Report of a Commission on Immigration into Ceylon by Sir Edward St. J. Jackson, April 1938, op. cit., p. 24.
- 26 Ibid.
- 27 Ibid., p. 32.
- 28 Letter No. EA-10/3/A, 17. 8. 1948 from D. S. Senanayake to Jawaharlal Nehru. Vide Govt. of India, Ministry of External Affairs and Commonwealth Relations. Correspondence exchanged between Govt. of India and Ceylon regarding the grant of the right of citizenship to Indians resident in Ceylon.
- 29 A War on Want investigation into Sri Lanka's tea industry by Miss Edith M. Bond, p. 3, op. cit.
- 30 Ibid.
- 31 A generic term for Tamil labourers.
- 32 Vide the Statesman (Calcutta edition) 24. 7. 78 ; 30. 7. 78.

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